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State of Indiana vs. Hemphill, Willie

Case Number	49F09-1307-FD-044328	
Court	Marion Superior Court, Criminal Division 9	
Type	FD - Class D Felony	
Filed	07/08/2013	
Status	09/24/2013 , Decided	
Reference	Protection Order	349605
	Registry	349606

Parties to the Case

Defendant Hemphill, Willie

Description Male, Black, 5' 10", 165 lbs.

Address 27 N. Gray St
Indianapolis, IN 46201

Other Agency Numbers

000000683723 Indianapolis Metropolitan Police
Provisional755857 Indianapolis Metropolitan Police
2310332 Protection Order Registry

State State of Indiana

Plaintiff

Charges

01 07/07/2013 INTIMIDATION/FD

Statute 35-45-2-1

Degree CNV

02 09/24/2013 CRIMINAL TRESPASS/MA

Statute 35-43-2-2

Degree CNV

Chronological Case Summary

07/08/2013 **QCSR INITIAL EVENT FOR CONVERTED CASES**

QCSR INITIAL EVENT FOR CONVERTED CASES

07/08/2013 **Converted Event**

OUTRIGHT SCREENING

07/08/2013 **Converted Event**

CASE FILED

07/08/2013 **Converted Event**

RANDOM COURT ASSIGN 001 Case transferred into Court F09

07/08/2013 Converted Event

INITIAL HEARING 000 Court Reporter: 53770 TAMMY D TAYLOR. 001 INITIAL HEARING MINUTES 7/8/2013 002 Master Commissioner 003 Def. in person 004 DEFENDANT CURRENTLY IN CUSTODY OF THE SHERIFF. 005 Probable cause found for arrest of Def. 006 Deft. advised pursuant to I.C. 35-33-7-5 and 6, advised of charges Filed, provided with copy of charges requested on all felonies. Deft. also advised of Jury Trial rights and time limitations pursuant to C.R. 22. Prel 007 Court sets omnibus date for 08/22/13. 008 DEF REQUESTS SPEEDY TRIAL. 009 70TH DAY IS 09/16/13. 010 BOND REVIEW 011 Court ORDERS bond to be set in the amount of \$ 500 Type CS. 012 DEF. INDIG., P.D. APPOINTED; ASSESS PD FEE: Y / N 013 NCO ISSUED REQUEST FOR FAST&SPEEDY 014 09/16/13. NCO 015 Court sets next action for: HPTC 07/09/13 A INTO COURT ROOM F09 016 No Contact/No Violent Contact Order Issued.....SEE ORDER 017 Court ORDERS Special Conditions of Release as follows: 018 No Contact: NCO ISSUED SEE STATES REGISTRY..

07/09/2013 Converted Event

PRELIMINARY SCREENING

07/09/2013 Converted Event

PRE-TRIAL CONFERENCE 000 Court Reporter: 56416 JO ELLEN KRAMER. 001 PRE-TRIAL CONFERENCE/GUILTY PLEA HEARING MINUTES 7/9/2013 002 Presiding Judge 003 Def. in person 004 Def. by counsel 005 Court sets next action for: HPTC 08/27/13 A INTO COURT ROOM F09 006 8/27/13 DEADLINE FOR ALL FILINGS, 007 MOTIONS AND PLEADINGS. 008 Court sets next action for: HJRT 09/04/13 A INTO COURT ROOM F09 009 Court sets next action for: HOTH 07/16/13 A BOND REVIEW Into Court Room F09

07/16/2013 Converted Event

HEARING OTHER 000 Court Reporter: 42104 FELESA AVERITTE. 001 HEARING MINUTES 7/16/2013 002 Presiding Judge 003 Def. in person 004 Def. by counsel 005 BOND REVIEW 006 Court ORDERS Defendant released on OWN RECOGNIZANCE, Address: X Zip: X Phone: X. 007 THE COURT, HAVING DETERMINED THE DEFENDANT IS AN ACCEPTABLE RISK FOR RELEASE NOW PLACES DEFENDANT IN A RELEASE SERVICE PROGRAM. DEFENDANT TO COMPLY WITH ALL RULES, REGULATIONS, PROCEDURES AND/OR TREATMENT RECOMMENDATIONS, & PAY ALL FEES FOR PLACEME 008 COMMUNITY CORRECTIONS 009 ALCOHOL MONITORING 010 GPS 011 HOME DETENTION/ELECTRONIC MONITORING 012 UPON SATISFACTION OF RELEASE CONDITIONSTHE DEFENDANT IS TO BE HELD IN MARION COUNTY JAIL UNTIL PLACEMENT BY COMMUNITY CORRECTIONS. 013 . 014 No Contact: SEE STATE'S REGISTRY.

08/13/2013 Converted Event

OUT OF SESSION 001 OUT OF COURT FILING MINUTES 8/13/2013 002 Presiding Judge 003 ORDER FOR WARRANT OR SUMMONS 004 MCCC FILES PRETRIAL RELEASE VIOLATION 005 Court sets next action for: HMCC 09/11/13 P INTO COURT ROOM F09

08/20/2013 Converted Event

PRE-TRIAL CONFERENCE 000 Court Reporter: 42104 FELESA AVERITTE. 001 PRE-TRIAL CONFERENCE/GUILTY PLEA HEARING MINUTES 8/20/2013 002 Presiding Judge 003 Def. in person 004 Def. by counsel 005 INDIGENT TO HOME DETENTION FEES 006 RELEASED FROM HOME DETENTION 007 ONLY ON GPS. 008 Continuance requested by: Def. Cont. Gr. 009 Court VACATED PRE-TRIAL CONFERENCE on 08/27/13 at A. 010 Court VACATED JURY TRIAL on 09/04/13 at A. 011 Court VACATED COMMUNITY CORRECTIONS HEARING on 09/11/13 at P. 012 FINAL HPTC 013 Court sets next action for: HPTC 10/15/13 A INTO COURT ROOM F09 014 Court sets next action for: HJRT 10/23/13 A INTO COURT ROOM F09 015 ALL MOTIONS PLEADING AND WITNESS LIST 016 DUE BY 10/15/13

08/22/2013 Converted Event

OMNIBUS DATE

08/26/2013 Converted Event

OUT OF SESSION 001 OUT OF COURT FILING MINUTES 8/26/2013 002 Master Commissioner 003 ORDER FOR WARRANT OR SUMMONS 004 Defendant having violated certain conditions of release. Clerk ORDERED to issue Warrant for the arrest of the Defendant and ORDERS bond set in the amount of \$ 500 Type CS.

08/27/2013 Converted Event

OUT OF SESSION 001 OUT OF COURT FILING MINUTES 8/27/2013 002 Presiding Judge 003 DEF TAKEN INTO CUSTODY
004 Court sets next action for: HOTH 08/28/13 P COMMUNITY CORRECTIONS Into Court Room F09

08/28/2013 Converted Event

HEARING WARRANT SURRENDER 000 Court Reporter: 53770 TAMMY D TAYLOR. 001 WARRANT REARREST/SURRENDER
MINUTES 8/28/2013 002 Master Commissioner 003 Def. in person 004 FILE NOT AVAILABLE. 005 DEF REQUESTS
SPEEDY TRIAL. 006 BOND REVIEW 007 Court ORDERS bond to be set in the amount of \$ 500 Type CS. 008 HCCV
-REQUEST FOR A FAST AND SPEEDY 009 TRIAL 11/06/13. PD INDICATES DEFTS 010 ATTY. AND PARLEAGAL WILL BE
NOTIFIED 011 OF REQUEST. 012 Court sets next action for: HMCC 08/30/13 A INTO COURT ROOM F09

08/28/2013 Converted Event

COMMUNITY CORRECTIONS HEARING 000 Court Reporter: 56416 JO ELLEN KRAMER. 001 COMMUNITY CORRECTIONS
MINUTES 8/28/2013 002 Pro Tem 003 PRISONER NOT TRANSPORTED TO COURT. 004 Def. by counsel 005 DEFENDANT
WAS STILL IN PROCESSING 006 Court sets next action for: HPTC 08/30/13 A INTO COURT ROOM F09

08/30/2013 Converted Event

COMMUNITY CORRECTIONS HEARING 000 Court Reporter: 42104 FELESA AVERITTE. 001 COMMUNITY CORRECTIONS
MINUTES 8/30/2013 002 Presiding Judge 003 Def. in person 004 Def. by counsel 005 Court ORDERS Defendant released
on OWN RECOGNIZANCE, Address: X Zip: X Phone: X. 006 DEFT MAY SELF REPORT TO MCCC. 007 Court VACATED PRE-
TRIAL CONFERENCE on 10/15/13 at A. 008 Court sets next action for: HPTC 10/15/13 P INTO COURT ROOM F09 009
FINAL PRETRIAL IS 10/15/13 PM. 010 DEFT TO REMAIN ON MEMMS 3000. JUDGE 011 WILL CONTACT DEFT CASE
WORKER 012 IAN DOYLE.

08/30/2013 Converted Event

MINUTE CORRECTIONS 001 MINUTE CORRECTIONS for COMMUNITY CORRECTI on 08/30/13 at 08:30 002 Correction to
Minute Sequence 008 follows: 003 Court sets next action for: HJRT 10/23/13 A INTO COURT ROOM F09 004 Court sets
next action for: HJRT 10/24/13 A INTO COURT ROOM F09

09/05/2013 Converted Event

OUT OF SESSION 001 OUT OF COURT FILING MINUTES 9/5/2013 002 Presiding Judge 003 COURT GRANTS WRIT OF
ASSISTANCE FOR 004 DEFENDANT TO GET HIS POSSESSIONS 005 ON 9/5/13 BETWEEN 3PM AND 8PM

09/11/2013 Converted Event

OUT OF SESSION 001 ORDER FOR WARRANT OR SUMMONS 002 Defendant having violated certain conditions of
release. Clerk ORDERED to issue Warrant for the arrest of the Defendant and ORDERS bond set in the amount of \$ 0
Type NB. 003 COMMUNITY CORRECTIONS VIOLATION FILED

09/11/2013 Converted Event

HEARING WARRANT SURRENDER 000 Court Reporter: 53770 TAMMY D TAYLOR. 001 WARRANT REARREST/SURRENDER
MINUTES 9/11/2013 002 Master Commissioner 003 Def. in person 004 FILE NOT AVAILABLE. 005 BOND REVIEW 006
Court ORDERS bond to be set in the amount of \$ 500 Type CS. 007 Court sets next action for: HMCC 09/17/13 P INTO
COURT ROOM F09

09/13/2013 Converted Event

OUT OF SESSION 001 OUT OF COURT FILING MINUTES 9/13/2013 002 Presiding Judge 003 COMMUNITY CORRECTIONS
FILES PRETRIAL 004 VIOLATION. 005 HEARING ALREADY SET FOR 09/17/13 PM

09/17/2013 Converted Event

COMMUNITY CORRECTIONS HEARING 000 Court Reporter: 42104 FELESA AVERITTE. 001 COMMUNITY CORRECTIONS
MINUTES 9/17/2013 002 Presiding Judge 003 Def. in person 004 Def. by counsel 005 DEF REQUESTS SPEEDY TRIAL. 006
70TH DAY IS 11/26/13. 007 DEFENDANT HAS VIOLATED PRE-TRIAL 008 RELEASE AND WILL REMAIN IN CUSTODY.

09/19/2013 Converted Event

Bond CS with set date of Sep 11 2013 2:30PM has a satisfied date of Sep 19 2013 9:38PM

09/20/2013 Converted Event

OUT OF SESSION 001 OUT OF COURT FILING MINUTES 9/20/2013 002 Presiding Judge 003 DEFT TO BE RELEASED; DOES NOT NEED TO 004 REPORT TO MCCC.

09/23/2013 Converted Event

OUT OF SESSION 001 OUT OF COURT FILING MINUTES 9/23/2013 002 Presiding Judge 003 Defendant files MOT/REQ TO SET HEARING 004 Grants 005 Court VACATED PRE-TRIAL CONFERENCE on 10/15/13 at P. 006 VACATE JURY DATES FOR 10/23/13 AND 007 10/24/13 008 Court sets next action for: HGPL 09/24/13 A INTO COURT ROOM F09 009 Copies sent to all parties.

09/24/2013 Judgment

Crawford, Barbara

- 01. INTIMIDATION/FD
 - Dismissed

09/24/2013 Judgment

Crawford, Barbara

- 02. CRIMINAL TRESPASS/MA
 - Finding of Guilty

09/24/2013 Converted Event

GUILTY PLEA HEARING 000 Court Reporter: 42104 FELESA AVERITTE. 001 GUILTY PLEA HEARING MINUTES 9/24/2013 002 Presiding Judge 003 Def. in person 004 Def. by counsel 005 State moves to dismiss cnt #(s) 1;GRANTED---SEE MOTION 006 State moves to add cnts 2;GRANTED-----SEE MOTION 007 Def. w/d N.G. to cnt# 2 008 Written plea agree filed 009 Written waiver of rights filed 010 Ct. orally examines Def: finds Def. understands charges, rights waived and impact of plea. Factual basis found, court confirms Def's willingness to plead guilty, accepts plea and enters judgment of convicti 011 Def. sentenced-----SEE ORDER 012 ORDER OF JUDGMENT OF CONVICTION 013 Update Sentencing/Commitment 014 Costs of \$168.00 015 As to Count (002) 016 Fines of \$50.00 017 Imposed 365 D MCJ 0 D DOC 0 D CCC 0 D CCR 018 0 D HOC 0 D EMS 019 with 311 D suspended; Total executed 54 D with 27 days credit for time served; 020 Abstract of Judgment issued and filed (H.I.). 021 Criminal Court CommitmentOrder 022 End of Update Sentencing/Commitment 023 Commitment Ordered 024 Sentencing comments: STAY AWAY ORDER FROM [REDACTED]. 025 BOND REFUND TO GO TOWARDS FINES/COSTS.

09/24/2013 Converted Event

Bond CR with set date of Sep 24 2013 10:35AM has a satisfied date of Sep 24 2013 10:35AM

09/24/2013 Converted Event

CASE DISPOSED

09/24/2013 Converted Event

FEE ASSESSMENT 001 \$ 50.00 SUPP PUB DEF SERVICE FEE assessed. Reason: IA

10/17/2013 Converted Event

OUT OF SESSION 001 OUT OF COURT FILING MINUTES 10/17/2013 002 Master Commissioner 003 BOND TO BE APPLIED OUTSTANDING 004 MONETARY OBLIGATION OWED. BALANCE MAY 005 BE REFUNDED.

Financial Information

* Financial Balances reflected are current representations of transactions processed by the Clerk's Office. Please note that any balance due does not reflect interest that has accrued – if applicable – since the last payment. For questions/concerns regarding

balances shown, please contact the Clerk's Office.

Hemphill, Willie

Defendant

Balance Due (as of 05/29/2018)

50.00

Charge Summary

Description	Amount	Credit	Payment
Fine	50.00	0.00	0.00

Transaction Summary

Date	Description	Amount
09/24/2013	Transaction Assessment	50.00

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<u>Defendant Name</u>	<u>Gallery</u>	<u>Cause Number</u>
WILLIE HEMPHILL	683723	13044328
<u>Lead Charge</u>	<u>Case Type</u>	
FD - Class D Felony	D Felony	

<u>Questions</u>	<u>Answer</u>
Out of county resident?	No
The defendant has one or more failures to appear?	No
The defendant has one or more prior felony convictions?	No
The defendant is charged with Battery (I.C. § 35-42-2-1)	No
The defendant is charged with Criminal Confinement/FD (I.C. § 35-42-3-3)	No
The defendant is charged with Criminal Gang Activity/FD (I.C. § 35-45-9-3)	No
The defendant is charged with Criminal Recklessness (I.C. § 35-42-2-2 - all sections)	No
The defendant is charged with Escape (I.C. § 35-44-3-5)	No
The defendant is charged with Intimidation (I.C. § 35-45-2-1)	Yes
The defendant is charged with Pointing a Firearm (I.C. § 35-47-4-3)	No
The defendant is charged with Residential Entry (I.C. § 35-43-2-1.5)	No
The defendant is charged with Resisting Law Enforcement (I.C. § 35-44-3-3)	No
The defendant is charged with Stalking (I.C. § 35-45-10)	No
The defendant is charged with Strangulation (I.C. § 35-42-2-8)	No

Comments

None

Own Recognition (OR) up to \$2,500 Surety. The bail clerk shall set bail for a Class D felony at \$2,500. The bail schedule amounts shall double, up to a maximum of \$5,000, for each of the applying circumstances.

The suggested bond amount is Own Recognition (OR) up to \$5000.00

<u>Bond Amount History</u>		
<u>Bond Amount</u> Own Recognition (OR) up to \$5000.00	<u>Modified Date</u> 07/08/2013	<u>Modified By</u> Tabatha Deckard

REQUEST A PUBLIC DEFENDER -FINANCIAL INFORMATION

-IF THE AMOUNT IS ZERO, WRITE "0" IN THE SPACE

-DO NOT LEAVE ANY SPACE BLANK

PETICION DE ABOGADO PUBLICO—INFORMACION FINANCIERA

-SI LA CANTIDAD ES ZERO ESCRIBA "0" EN EL ESPACIO

-NO DEJE ESPACIOS EN BLANCO

1. If you work, where do you work?

Trabaja usted? SI o NO. Circule uno. Donde trabaja?

2. What is your average take home pay?

Cuanto dinero lleva usted a su casa?

per week/month. (circle one)

semanal o mensual. (circule uno)

\$ 0

3. Over the past two weeks, what was your income?

Cuanto fue su ingreso durante las pasadas dos semanas?

\$ 0

4. If you support anyone other than yourself, how many do you support?

Sostiene usted otras personas a parte de usted, a cuantos sostiene?

1

5. If you pay support for children who do not live with you, how much do you pay?

~~per week/month~~ (circle one)

Si usted paga pension alimenticia para ninos que no viven con usted; cuanto usted paga?
por semana/por el mes (circule uno)

\$ 51,00
\$ 0

6. If you have any other sources of income (for example, child support disability benefits, inheritance, stocks, etc.), how much do you receive regularly? per week/month (circle one)

Si usted tiene cualesquier otras fuentes de ingreso (por ejemplo, beneficios de desabilidad
Sostenimiento de hijos, herencia, accion, etc.), cuanto usted recibe regularmente?
por la semana/el mes (circule uno)

\$ 0

7. If you have any savings, how much do you have?

Si usted tiene ahorros, cuanto usted tiene?

\$ 0

8. Do you own any real estate? Yes/No (circle one) If yes, what do you own?

Es usted dueno de su casa? SI/NO (circule uno) Si es si su repuesta que usted posee?

9. If you have any large debt that would make it difficult for you to pay your own lawyer, please list the debt below.

Or, if your wages are being garnished, list the amount:

Tiene usted algun tipo de deuda(s) grande que le dificulte a usted pagar abogado privado, enumere por favor la(s)
deuda(s) abajo. O, si le estan interviniendo sus salarios, enumere la cantidad:

\$ 4,000.00 to Auto Sales and Service
\$ 8,000.00 in Medical Bills

I swear, or affirm under the penalty of perjury, that the information on this form is correct to the best of my knowledge.
Juro o asfimo bajo la pena de perjurio, que la informacion en esta forma es correcta con lo mejor de mi concientimiento.

Date: 7/8 /2013

Defendant's signature: Willie Guayshiro

Fecha: ____ / ____ /2013

Firma del acusado: _____

Case Number: _____

Defendant's name: _____

ESTADO DE INDIANA) EN LA CORTE SUPERIOR DE MARION
)) SS: SALA CRIMINAL NO. F11
CONDADO DE MARION) CAUSA NO. _____

ESTADO DE INDIANA)
)
CONTRA)
)
)
 DERECHOS DE AUDIENCIA INICIAL
)
)

SUS DERECHOS COMO ACUSADO:

1. El juez le informara acerca del cargo(s) contra Ud y respondera preguntas que tenga acerca de sus siguientes derechos. Ud. puede recibir una copia del cargo contra Ud.
2. Tiene derecho de contratar abogado privado. Si tiene intencion de hacer esto, debe hacerlo dentro de los proximos diez (10) dias de la fecha de Audiencia Inicial si los cargos son de delitos menores; o dentro de veinte (20) dias si los cargos son de delitos mayores o felonía, porque hay fechas finales para registrar peticiones o levantar defensas. Si esas fechas son perdidas, los asuntos legales y defensas en su favor seran renunciados por Ud.
3. Tiene derecho de tener abogado sin costos para Ud., si se le determina pobre. Ud. debe informar al juez si no cuenta con recursos para un abogado privado.
4. Tiene el derecho de un juicio pronto.
5. Tiene el derecho de juicio frente a un jurado. Si su cargo es de delito menor y Ud. desea juicio frente a un jurado, tiene que hacer peticion por lo menos diez (10) dias antes de la fecha dada para juicio. Si no se hace la peticion por lo menos diez (10) dias antes de esa fecha, Ud. renuncia su derecho de juicio frente a jurado. Si desea juicio ante jurado debe hacer su peticion con tiempo aunque aun no tenga abogado.
6. Tiene el privilegio de no incriminarse a si mismo. Mantener silencio.
7. Tiene derecho de libertad bajo fianza. Se le informara de cualquier condicion de su fianza.
8. Una declaracion de NO CULPABLE sera hecha en su favor. Esta declaracion preliminar se convertira en declaracion formal diez (10) dias despues de la Audiencia Inicial si el cargo es de delito menor, o veinte (20) dias despues de la Audiencia Inicial si el cargo es un delito mayor o felonía, a no ser que Ud. decida cambiar esta declaracion despues de consultar a un abogado.

He leido estos derechos y los entiendo.

____ / ____ /2013
Fecha

Firma del Acusado

STATE OF INDIANA) IN THE MARION COUNTY SUPERIOR COURT
COUNTY OF MARION)) SS: CRIMINAL DIVISION ROOM F11
)
)
STATE OF INDIANA)) CAUSE NO. 1304M328
)
VS.)
)

Willie Hauphill INITIAL HEARING RIGHTS

YOUR RIGHTS AS A DEFENDANT:

1. The Judge will inform you of the nature of the charge(s) against you and answer any questions you have about the following rights. You may have a copy of any charge(s) filed against you.
2. You have the right to retain counsel. If you intend to do so, you must do it within ten (10) days after this Initial Hearing if the charge(s) against you is a misdemeanor or within twenty (20) days after this Initial Hearing if the charge(s) is a felony, because there are deadlines for filing motions and raising defenses. If those deadlines are missed, the legal issues and defenses that could have been raised will be waived by you.
3. You have a right to have counsel at no expense to you if you are indigent. You must tell the Judge now if you cannot afford to hire an attorney.
4. You have the right to a speedy trial.
5. You have the right to a trial by jury. If you are charged with a misdemeanor and you wish to have a trial by jury, you must make a request for a jury trial at least ten (10) days prior to your trial setting. If you do not request a jury trial at least ten (10) days prior to your trial setting, you waive your right to a trial by jury. If you want a jury trial, you must make a timely request even if you do not have an attorney.
6. You have the privilege against self-incrimination.
7. You have a right to bail. Any conditions of bail will be explained to you.
8. A preliminary plea of NOT GUILTY is being entered for you. This preliminary plea will become a formal plea of NOT GUILTY ten (10) days after this initial hearing, if the charge(s) is a misdemeanor or twenty (20) days after this initial hearing, if the charge is a felony, unless you choose to enter a different plea.

I have read these rights and I understand them.

7/8/2013
Date


Defendant's Signature

STATE OF INDIANA, COUNTY OF MARION, SS:

PROBABLE CAUSE AFFIDAVIT

NE20

Defendant Name: HEMPHILL, WILLIE

Location of Incident: [REDACTED]

Date of Incident: 07/07/2013

Case Number: 130087453

Slated Charges: INTIMIDATION/FD

Arresting Officer: PHILLIPS, MICHAEL W IMPD

Officer ID: 20105

Agency: Indianapolis Police Department

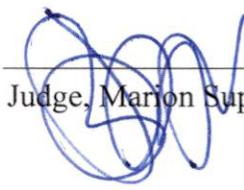
ON 07/07/2013 AT APPROXIMATELY 9:50 PM, I, OFC MICHAEL PHILLIPS OF THE IMPD, WAS DISPATCHED WITH OFC FRANCISCO OLMOS TO [REDACTED] IN REFERENCE TO A DISTURBANCE BETWEEN NEIGHBORS. THE CALLER, DONALD CHILDS, STATED THE DISTURBANCE WAS BETWEEN TWO MALES AND ONE WAS POSSIBLY INTOXICATED. ON SCENE AT 9:55 PM, I NOTICED MR CHILDS COMING OUT TO MEET ME. MR CHILDS EXPLAINED THAT HIS NEIGHBOR AT 42 JEFFERSON AV THREATENED HIM AND POSSIBLY ARMED WITH A KNIFE. OFC OLMOS ARRIVED AND WALKED OVER TO 42 JEFFERSON AV. I NOTICED A SUBJECT, LATER IDENTIFIED AS WILLIE HEMPHILL (B/M DOB 09/10/1971), SITTING IN FRONT OF THE RESIDENCE. MR HEMPHILL WAS ALREADY YELLING AS OFC OLMOS APPROACHED. MR CHILDS STATED HE FILLED AN INTIMIDATION REPORT UNDER CASE # DP13083288. UNDER THAT REPORT, MR CHILDS WAS THREATENED WITH A KNIFE BY A SUSPECT WHO WAS LATER IDENTIFIED AS HIS NEIGHBOR AT 42 JEFFERSON AV, MR HEMPHILL. MR CHILDS STATED THERE WERE NOT PROBLEMS BETWEEN HIM AND MR HEMPHILL PRIOR TO THIS INCIDENT. MR CHILDS STATED RIGHT BEFORE HE CALLED 911, MR HEMPHILL APPROACHED HIS CHAINED FENCE AND STATED "I'M GOING TO FUCKING SHOOT YOU...YOU FUCKING WANNABE GEORGE ZIMMERMAN MOTHERFUCKER. I KNOW HOW TO DO IT...YOU SECURITY GEORGE ZIMMERMAN WANNABE!" MR CHILDS STATED MR HEMPHILL YELLED THIS AT HIM AND MR CHILDS WAS IMMEDIATELY AFRAID FOR HIS LIFE. MR CHILDS STATED THIS ALL STEMMED FROM TRYING TO STOP MR HEMPHILL FROM LITTERING, ILLEGALLY DUMPING, AND URINATING IN PUBLIC UNDER THE PREVIOUS CASE #. AS I WAS TALKING TO MR CHILDS, I COULD HEAR MR HEMPHILL BECOMING HEATED WITH OFC OLMOS. I HEARD MR HEMPHILL STATE "ITS ALL BECAUSE OF HIS GEORGE ZIMMERMAN ASS! HE'S RACIST!". I LEFT MY INTERVIEW WITH MR CHILDS AND APPROACHED MR HEMPHILL AND OFC OLMOS. I NOTICED MR HEMPHILL WAS ARMED WITH A BLUE HANDLED KNIFE THAT WAS CLIPPED TO HIS RIGHT FRONT POCKET. I REMOVED THE KNIFE FROM MR HEMPHILL'S POCKET. MR HEMPHILL STATED HE STOPPED IN THE MIDDLE OF THE STREET AND DID YELL AT MR

I swear or affirm under the penalties of perjury that the above facts are true to the best of my knowledge and belief; and that these facts are from my personal knowledge or that I learned these facts from another law enforcement officer.


Captain T. Darren D. Baker

Law Enforcement Officer

Probable cause found to order warrant or summons issued for defendant


Judge, Marion Superior Court

CHILDS. MR HEMPHILL STATED [REDACTED] ONLY YELLED "YOU LIVE ON YOUR S AND I'LL LIVE ON MINE". MR HEMPHILL DENIED EVER THREATENING MR CHILDS. AFTER MR HEMPHILL WAS CALMED DOWN, I WENT BACK TO SPEAK TO MR CHILDS. I HAD NOTICED THAT MR HEMPHILL WAS INTOXICATED. MR HEMPHILL HAD A STRONG ODOR OF AN ALCOHOLIC BEVERAGE ON HIS BREATHE AND PERSON, GLASSY EYES, AND UNEVEN BALANCE (MR HEMPHILL WOULD LATER LOSE CONTROL OF HIS BLADDER AND URINATED HIMSELF). I NOTICED, AS I HAD DID WHEN I FIRST ARRIVED, SEVERAL SUBJECTS SITTING ON THE FRONT PORCH AT [REDACTED] I WOULD LATER SPEAK TO ALL THESE INDIVIDUALS AND THEY WERE IDENTIFIED AS MARY SIDERS, BRICE SIDERS, CONNIE CHILDS, COURTNEY GREGGS, AND JAMES EMERICK. ALL THESE INDIVIDUALS STATED THEY HEARD THE THREAT FROM MR HEMPHILL TO MR CHILDS. THEY ALL STATED MR HEMPHILL STATED "IM GOING TO FUCKING SHOOT YOU..." AS WELL AS THE GEORGE ZIMMERMAN REFERENCE. MS CHILDS STATED SHE WAS SO SCARED THAT SHE GRABBED THE YOUNGER CHILDREN AND PUSHED THEM INSIDE THE RESIDENCE TO KEEP HARM FROM COMING TO THEM. I SPOKE TO MR CHILDS AGAIN AND ASKED AGAIN WHY MR HEMPHILL HAD COME TO HIS RESIDENCE MAKING THREATS. MR CHILDS AGAIN STATED THIS WAS ALL FROM STOPPING MR HEMPHILL FROM DOING ILLEGAL ACTS THAT WERE DESCRIBED UNDER CASE #DP13083288. MR HEMPHILL WAS PLACED UNDER ARREST FOR INTIMIDATION FOR KNOWINGLY AND INTENTIONALLY COMMUNICATING A THREAT TO MR CHILDS THAT PUT MR CHILDS IN FEAR FOR HIS LIFE AND SAFETY. THIS THREAT BY MR HEMPHILL WAS COMMUNICATED FOR MR CHILDS' PRIOR LAWFUL ACT OF TRYING TO STOP MR HEMPHILL FROM COMMITTING A CRIME. SINCE THE THREAT WAS TO COMMIT A FORCIBLE FELONY, MR HEMPHILL'S CHARGE WAS UPGRADED TO A D FELONY. MR HEMPHILL CONTINUED TO MAKE REFERENCES TO MR CHILDS AS GEORGE ZIMMERMAN AS WE WAITED FOR THE WAGON. MR HEMPHILL CALLED HIS WIFE OUT OF THE RESIDENCE AND ASKED HER TO BE A WITNESS. THE ONLY TIME MR HEMPHILL'S WIFE WAS OUTSIDE DURING THIS INCIDENT WAS WHEN MR HEMPHILL WAS ALREADY UNDER ARREST. MR HEMPHILL ALSO STATED "HOW CAN I BE ARRESTED FOR IT...IF I DON'T HAVE A GUN TO DO IT". MR HEMPHILL WAS TRANSPORTED TO APC BY MCSD WAGON. ALL THE ABOVE EVENTS OCCURRED IN MARION COUNTY, STATE OF INDIANA, CITY OF INDPLS.

I swear or affirm under the penalties of perjury that the above facts are true to the best of my knowledge and belief; and that these facts are from my personal knowledge or that I learned these facts from another law enforcement officer.



Law Enforcement Officer

Probable cause found to order warrant or summons issued for defendant



Judge, Marion Superior Court

INDIANAPOLIS METROPOLIS IN POLICE DEPARTMENT
FOR LAW ENFORCEMENT USE ONLY
DO NOT RELEASE
CASE REPORT: 13-0083288 - 0000

INCIDENT: 588 INTIMIDATION
LOCATION: 3355 N KEYSTONE AV.
GEO ZONE: 232024 AREA: MND BEAT: ND20
OCCURRED: 06/28/2013 17:00 TO 06/28/2013 17:30
ARRESTS: 0 INJURED: 0 DEAD: 0 VEHICLE TOWED: 0

PERSON: 1
PERSON INVOLVEMENT: VIC VICTIM
PERSON NAME: CHILDS,DONALD
RACE: W WHITE SEX: M MALE
DATE OF BIRTH:
HEIGHT/WEIGHT: /
HAIR/EYES: /
SSN
ADDRESS:
CELLULAR PHONE:

NARRATIVE:
ON 6-28-2013 I OFFICER ALLEN JOHNSON WITH THE IMPD WAS DISPATCHED TO THE LIQUOR STORE, LOCATED AT 3355 N KEYSTONE AVE, REFERENCE TROUBLE WITH A PERSON. UPON MY ARRIVAL I MADE CONTACT WITH THE VICTIM, LATER IDENTIFIED AS W/M DONALD CHILDS. MR. CHILDS STATED THAT AFTER HE BROUGHT HIS WIFE TO WORK HE OBSERVED A DARK COMPLEXIONED B/M WEARING A WHITE SHIRT AND BLUE JEAN SHORTS ILLEGALLY DUMPING TRASH IN THE DUMPSTER ON THE PROPERTY. MR. CHILDS, BEING A SECURITY GAURD, STATED HE APPROACHED THE INDIVIDUAL AND ADVISED HIM THAT WAS NOT PERMITTED ON THE PROPERTY. MR. CHILDS STATED THAT THE SUSPECT BEGAN TO YELL AT HIM STATING, "FUCK YOU I CAN DO WHAT THE FUCK I WANT". MR. CHILDS THEN STATED THAT THE SUSPECT ATTEMPTED TO URINATE ON THE SIDE OF THE BUILDING AND UPON APPROACHING HIM TELLING HIM TO STOP, THE SUSPECT TURNED AND FACED MR. CHILDS AND BEGAN TO YELL AND SCREAM AT HIM AGAIN. DUE TO THE FACT THAT THE SITUATION WAS RADIDLY EVOLVING, MR CHILDS STATED HE ATTEMPTED TO GO INSIDE THE BUILDING BUT WAS FOLLOWED BY THE SUSPECT. MR. CHILDS STATED ONCE HE AND THE SUSPECT WERE STANDING NEAR THE DOOR THE SUSPECT RETRIEVED A SEVEN INCH BLUE HANDLED KNIFE AND STATED TO MR CHILDS, "IM GOING TO KILL YOU BECAUSE YOU DONT LIKE BLACK PEOPLE". MR. CHILDS STATED HE WAS IN EXTREME FEAR FOR HIS SAFETY AT THIS POINT. MR. CHILDS ENTERED THE BUILDING AT WHICH TIME THE SUSPECT FLED THE SCENE IN A GRAY VAN, BEING DRIVEN BY A B/F. THERE IS VIDEO SURVEILLANCE ON THE PROPERTY. NO FURTHER AT THIS TIME.

OFFICER: 31358 JOHNSON,ALLEN IMPD
OPERATOR: 06/28/2013 22:39 31358 JOHNSON,ALLEN IMPD

STATE OF INDIANA
MARION COUNTY, SS:

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION

THE STATE OF INDIANA)
vs.)
Willie Hemphill)
RACE: B SEX: M)
DOB: 9/10/1971)

Cause No.: 49F091307F0044328

INFORMATION

COUNT 1

INTIMIDATION

CLASS D FELONY

I.C. 35-45-2-1(a)(2)(b)(1)(A)

FILED

(102)

11/11/2013

CLERK OF THE MARION CIRCUIT COURT
File Stamp

The undersigned affiant does hereby swear or affirm under the penalties of perjury that:

On or about 7/7/2013, in Marion County, State of Indiana, the following
named defendant Willie Hemphill, did communicate a threat to
Donald Childs, another person, said threat being:
to shoot Donald Childs,

with the intent that the other person be placed in fear of retaliation for a prior lawful act,
to wit: calling the police to report Willie Hemphill,
and further that said threat was to commit forcible felony, to wit: Battery.

All of which is contrary to the laws of the State of Indiana.

Signed And

Printed Reddick

Approved Reddick
Deputy Prosecuting Attorney
Nineteenth Judicial Circuit

State's Witnesses:

M Phillips 20105 IMPD

Donald Childs

Connie Childs

Mary Siders

Bride Siders

Revised: 7/1/12
Courtney Greggs

James Emerick

APPEARANCE FOR
STATE OF INDIANA

B

Cause Number: 49F091307FD044328

Agency Case Number: 130087453

Name of Defendant(s): Willie Hemphill

FILED
11/11/2013

CLERK OF THE MARION CIRCUIT COURT
CLERK OF THE MARION CIRCUIT COURT

Case Type of Proceeding: FD (Class D Felony) CM (Misdemeanor)

Prosecuting Attorney Information:

Major Case Division

Terry R. Curry
Marion County Prosecutor
251 East Ohio Street
Suite 160
Indianapolis, IN 46204
(317) 327-5336 TX
(317) 327-5409 FAX
Attorney No. 3481-49

D Felony Division

Terry R. Curry
Marion County Prosecutor
251 East Ohio Street
Suite 160
Indianapolis, IN 46204
(317) 327-5336 TX
(317) 327-5409 FAX
Attorney No. 3481-49

D.V. Division

Terry R. Curry
Marion County Prosecutor
251 East Ohio Street
Suite 160
Indianapolis, IN 46204
(317) 327-5336 TX
(317) 327-5409 FAX
Attorney No. 3481-49

Traffic Division

Terry R. Curry
Marion County Prosecutor
8115 E. Washington Street
Indianapolis, IN 46219
(317) 327-8500 TX
(317) 327-5745 FAX
Attorney No. 3481-49

Will the State accept service by FAX: Yes No

STATE'S NOTICE OF DISCOVERY COMPLIANCE

The State of Indiana hereby notifies the Court that it has complied with discovery in this cause. Copies of the following have been forwarded to the defense counsel:

1. Charging Information: 1 page(s)

2. Probable Cause Affidavit: 2 page(s)

3. IMPD Criminal History of Defendant: 1 page(s)

4. Appearance Form: 1 page

The Marion County Prosecutor's Office has an "open file" policy. The defense attorney of record may review the prosecutor's file by appointment during the pendency of this case. This review will include all appropriate discovery, excluding work product.


Deputy Prosecuting Attorney

JSAR504C

NOTICE OF BOND SET
SUPERIOR CRIMINAL COURT

07/08/13
09:31:07

CASE ID 13044328 COURT F09

GALLERY# 000000683723 NAME HAMPHILL WILLIE

PREVIOUS BOND: \$5,000.00 SR SURETY BOND

SATISFIED: 07/08/13 10:00:00

SURETY
ADDRESS

BONDSMAN
AGENCY
ADDRESS

CURRENT BOND: \$500.00 CS CASH BOND

SPECIAL CONDITIONS:

SC NC NCO ISSUED SEE STATES REGISTRY.

STATE OF INDIANA
COUNTY OF MARION

)
SS:

IN THE MARION SUPERIOR COURT
CRIMINAL DIV N, ROOM F09

STATE OF INDIANA

)

vs.

Willie Hemphill)

Cause No. 49F0913 07 FD 044328

R. Spahn

STATE'S NOTICE OF DISCOVERY COMPLIANCE

The State of Indiana hereby notifies the Court that it has complied with the rules of discovery in this cause, as follows:

A. All items of physical evidence referred to in the materials listed below may be used as exhibits at trial and can be viewed by contacting the deputy prosecutor below, and any persons named in said material may be called as witnesses at trial.

B. Copies of the following have been forwarded to defense counsel:

Charging Information, 1 page(s);
 Probable Cause Affidavit, 2 page(s);
 Criminal History of Defendant, 1 page(s);
 Juvenile History of Defendant, page(s);
 BAC Data Master / Intoxilyzer 5000 test results, page(s);
 Driving Record of Defendant, page(s);
 IMD Police Report, case # 1B0087453000 sections (4) pages;
 Statement of _____, taken _____, page(s);
 IMCFSA Narcotics Examination Report, case # _____, page(s);
 No Contact Order, page(s);
 Search Warrant, page(s);
 Photo Array, page(s);
 Stay Away Order, page(s);
 Appearance Form, 1page;
 Certified copies of the Instrument Certification and Officer Certification can be reviewed prior to trial by contacting the assigned Deputy Prosecutor;
 Drug Lab Reports may be viewed prior to trial by contacting the assigned Deputy Prosecutor;

226 Cr
FILLED
JUL 11 2013

Shadell G. White
CLERK OF THE MARION CIRCUIT COURT

The Marion County Prosecutor's Office has an "open file" policy. The defense attorney of record may review the prosecutor's file by appointment during the pendency of this case. This review will include all appropriate discovery, excluding work product.

R. Spahn
Deputy Prosecuting Attorney

CERTIFICATE OF SERVICE

This is to certify that a copy of the State's Motion for Discovery has been served upon the attorney for the defendant by way of personal service, by placing said Motion in the Public Defender's mailbox or by sending postage prepaid United States First Class mail on _____.

R. Spahn
Deputy Prosecuting Attorney

STATE OF INDIANA)
COUNTY OF MARION)

STATE OF INDIANA)
)

v.)

Willie Hemphill)

) SS: IN THE SUPERIOR COURT
CRIMINAL DIVISION, ROOM F09

FILED

20

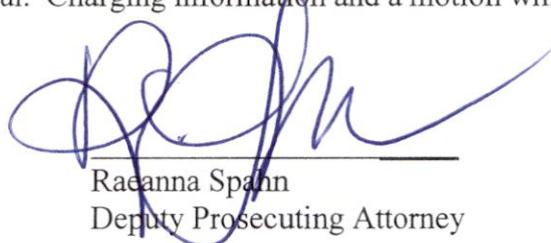
JUL 16 2013

Elizabeth L. White
CLERK OF THE MARION CIRCUIT COURT

Cause Number: 13044328

STATE'S NOTICE OF INTENT TO FILE
HABITUAL OFFENDER ENHANCEMENT

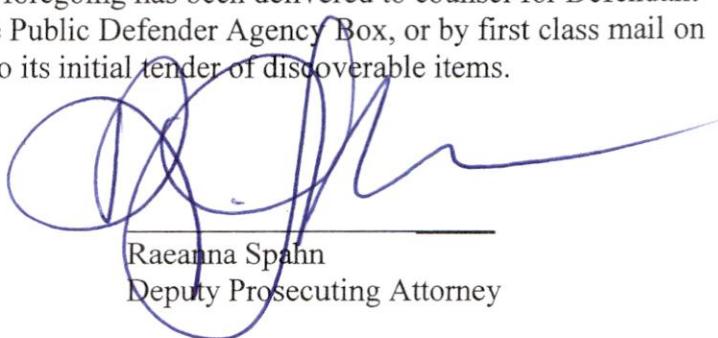
The State of Indiana, pursuant to I.C. 35-50-2-8, hereby notifies the named Defendant that the State of Indiana intends to file a habitual offender sentencing enhancement in this cause if good faith plea negotiations are unsuccessful. Charging information and a motion will follow.



Raeanna Spahn
Deputy Prosecuting Attorney

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been delivered to counsel for Defendant by personal delivery, placing a copy in the Public Defender Agency Box, or by first class mail on the date this notice was filed, or attached to its initial tender of discoverable items.



Raeanna Spahn
Deputy Prosecuting Attorney

Marion County Prosecutor's Office
251 East Ohio Street, 3rd Floor
Indianapolis, IN. 46204
317.327.8562

STATE OF INDIANA)
COUNTY OF MARION)
STATE OF INDIANA.)
vs)

SS:

FILED

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM F09

20

JUL 16 2013

Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

Willie Hampshire
Defendant Name

I affirm, under oath, that I reside at:

49-F09-1307-FD-044328

Cause Number

Gallery # 693723 Section 1

Defendant Address: _____

Contact Phone Number is: _____ (REQUIRED for HD, GPS, and Alcohol Monitoring)

ORDER FOR PLACEMENT ON PRETRIAL MONITORING

Def. Initialed

Section 2

(✓) D600 The Court, having determined the defendant is an acceptable risk for Pre Trial release now places the Defendant in a Pre Trial Service Program: The Defendant is to comply with all rules, regulations, procedures, treatment recommendations, and pay all fees for placement in program. Defendant placed on:

D224 Release on own recognizance

D223 Court sets bond in the amount of \$ _____ Type _____.

*If setting Court Cash Bond Enter 10% of this amount into JUSTIS w/ CS bond type and you **MUST** complete the COURT CASH BOND ORDER.

PRETRIAL RELEASE OPTIONS:

D628 PROBATION DEPARTMENT

Section 3

D535 Pre Trial Supervision (includes drug testing) (✓) D536 Drug Testing Only

D537 Indigent to fee for program only (✓) D538 Indigent to drug testing fee

(✓) D540 Upon satisfaction of release conditions, deft to self report to Probation located in the City County Building, T-641 by 3:30 p.m. this date or 10:00 a.m. the next business day.

D630 COMMUNITY CORRECTIONS

Section 4

D509 Home Detention D510 Alcohol Monitoring *MENS 3000* D511 GPS

D513 Daily Reporting D635 Mental Health Component

D634 Addictions Specialist Caseload

OR

D642 Placement deemed appropriate with movement to other components as deemed appropriate by MCCC.

D498 Upon satisfaction of release condition the defendant is to self report to Community Corrections, 140 E. Washington St., by 3:30 p.m. this date or 8:30 a.m. the next business day.

D703 Upon satisfaction of the release condition the defendant is to be transported by the MCSD to Community Corrections 140 East Washington Street. The defendant shall remain in MCSD custody until placement with Community Corrections.

D539 Upon satisfaction of release condition The Defendant is to be held in the Marion County Jail until placement by Community Corrections.

D631 H O C C S

Section 5

() D512 Day Reporting
 () D615 Upon Satisfaction of release condition defendant is to self report to HOCCS, 1202 N. Pennsylvania St., by 7 p.m. this date or by 10 a.m. the next business day.
 () D616 MCJ/CCA to transport to HOCCS.

D633 C R A I N E H O U S E

Section 6

() D512 Day Reporting Component
Assessment will be done on all clients but the Court may order any of the following:
 D621 Substance Abuse Assessment D622 IOP D623 GED D624 Parenting Classes
 D625 Anger Management D626 Family Preservation D627 Life Skills
 () D620 Upon satisfaction of release condition The defendant is to self report to Craine House, located at 3535 N. Pennsylvania Street, Indpls. by 3:30 p.m. this date or 8:30 a.m. the next business day.

Additional Conditions for any of the Pre Trial Programs:

Section 7

D012 See States Registry
 D012 _____

Section 8

I understand that failure to report as directed above will violate the conditions of my release and may result in my being returned to custody.

Date: 7-16-13

Defendant's signature _____

Date: 7-16-13

Judge: Barbara Cook Chao

STATE OF INDIANA)
) SS:
COUNTY OF MARION)
)
STATE OF INDIANA)
)
-VS-)
)
WILLIE HEMPHILL)

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM F09
CAUSE NO.: 49-F09-1307-FD-044328

FILED

31 JUL 31 2013

Elizabeth L. White
CLERK OF THE MARION CIRCUIT COURT

NOTICE OF DEPOSITION

To: DEPUTY PROSECUTING ATTORNEY: Raeanna Spahn
Marion County Prosecutor's Office
251 E. Ohio St. Suite 200
Indianapolis, Indiana 46204

You are hereby notified that on August 15, 2013 at 1:00 pm. The Defendant will take a taped statement of, Officer Francisco Olmos (#30452), and Connie Childs, Brice Siders, Courtney Greggs c/o The Marion County Prosecutor's Office (Raeanna Spahn) 251 E. Ohio St. Indianapolis, Indiana 46204, by a Notary Public, other person as may be duly qualified to administer oath for evidence, or an agency reporter. The above taped statement will take place at the **Marion County Public Defender Agency, located at 151 N. Delaware St., Suite 202, Indianapolis, Indiana, 46204**. You are invited to attend and cross-examine.

Thomas Lacy
Thomas Lacy
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the Marion County Prosecutor, by placing a copy of same in the Prosecutor's box of this Court or by delivering a copy of the same to one of his duly appointed deputies, on or before the date of filing same.

Thomas Lacy
Thomas Lacy

Marion County Public Defender Agency
151 N. Delaware St., Suite 200
Indianapolis, Indiana 46204
(317) 327-4100

STATE OF INDIANA)
) SS:
COUNTY OF MARION)
)
STATE OF INDIANA)
)
-VS-)
)
WILLIE HEMPHILL)

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM F09
CAUSE NO.: 49-F09-1307-FD-044328

FILED

(31)

JUL 31 2013

NOTICE OF DEPOSITION

Elizabeth L. White
CLERK OF THE MARION CIRCUIT COURT

To: DEPUTY PROSECUTING ATTORNEY: Raeanna Spahn
Marion County Prosecutor's Office
251 E. Ohio St. Suite 200
Indianapolis, Indiana 46204

You are hereby notified that on August 9, 2013 at 2:00 pm. The Defendant will take a taped statement of, Donald Childs, James Emerick, and Mary Siders c/o The Marion County Prosecutor's Office (Raeanna Spahn) 251 E. Ohio St. Indianapolis, Indiana 46204, by a Notary Public, other person as may be duly qualified to administer oath for evidence, or an agency reporter. The above taped statement will take place at the **Marion County Public Defender Agency, located at 151 N. Delaware St., Suite 202, Indianapolis, Indiana, 46204**. You are invited to attend and cross-examine.

Thomas Lacy
Thomas Lacy
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the Marion County Prosecutor, by placing a copy of same in the Prosecutor's box of this Court or by delivering a copy of the same to one of his duly appointed deputies, on or before the date of filing same.

Thomas Lacy
Thomas Lacy

Marion County Public Defender Agency
151 N. Delaware St., Suite 200
Indianapolis, Indiana 46204
(317) 327-4100

STATE OF INDIANA)
COUNTY OF MARION) SS:
)

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM F09
CAUSE NO.: 49-F09-1307-FD-044328

STATE OF INDIANA)
)
-VS-)
)
WILLIE HEMPHILL)

NOTICE OF TAPED STATEMENT

Clifford A. White
CLERK OF THE MARION CIRCUIT COURT

FILED

152
C.R. AUG 5 2013

To: DEPUTY PROSECUTING ATTORNEY: Raeanna Spahn
Marion County Prosecutor's Office
251 E. Ohio St. Suite 200
Indianapolis, Indiana 46204

You are hereby notified that on August 16, 2013 at 12:30 pm. The Defendant will take a taped statement of, Officer Michael Phillips (#20105), Donald Childs, James Emerick, and Mary Siders c/o The Marion County Prosecutor's Office (Raeanna Spahn) 251 E. Ohio St. Indianapolis, Indiana 46204, by a Notary Public, other person as may be duly qualified to administer oath for evidence, or an agency reporter. The above taped statement will take place at the **Marion County Public Defender Agency, located at 151 N. Delaware St., Suite 202, Indianapolis, Indiana, 46204**. You are invited to attend and cross-examine.

Thomas Lacy

Thomas Lacy
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the Marion County Prosecutor, by placing a copy of same in the Prosecutor's box of this Court or by delivering a copy of the same to one of his duly appointed deputies, on or before the date of filing same.

Thomas Lacy

Thomas Lacy

Marion County Public Defender Agency
151 N. Delaware St., Suite 200
Indianapolis, Indiana 46204
(317) 327-4100

MARION COUNTY COMMUNITY CORRECTIONS

NOTICE OF PRE-TRIAL RELEASE VIOLATION

TO: Barbara Cook- Crawford

RE: Hemphill, Willie

Cause No: 49-F09-1307-FD-044328

Gallery No: 683723

Scheduled Court Date: 8/27/2013 at 8:30 A On July 18, 2013 was placed on pretrial release for the offense of: Intimidation / Class D Felony

Total Monetary Obligation: \$399.00

PAID

\$0.00

Indigent

Information received indicates that the defendant has violated conditions of pre-trial release as follows:

Willie Hemphill:

1. on or about 8/10/2013, the defendant submitted a positive MEMS 3000 alcohol monitoring test at 6:39 PM with a blood alcohol level of .0390.
2. on or about 8/10/2013, the defendant submitted a positive MEMS 3000 alcohol monitoring test at 6:48 PM with a blood alcohol level of .0320.
3. on or about 8/10/2013, the defendant submitted a positive MEMS 3000 alcohol monitoring test at 6:58 PM with a blood alcohol level of .0310.
4. on or about 8/10/2013, the defendant submitted a positive MEMS 3000 alcohol monitoring test at 7:07 PM with a blood alcohol level of .0250.
5. on or about 8/13/2013, the defendant failed to maintain his GPS Equipment.
6. failed to submit a baseline urine drug screen.
7. failed to comply with monetary obligation.

(continued on page 2)

226 **FILED**
AUG 18 2013
SHERIFF OF THE MARION CIRCUIT COURT

PETITION FOR COURT ACTION

Warrant is requested. Order to Appear is Requested No Hearing scheduled at this time.

As of today's date, defendant is in Custody. Other _____

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT THE FOREGOING ALLEGATIONS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Date: August 13, 2013

CSM

Ian Doyle
Ian Doyle

Reviewed by:

Joseph Elliot Payne
Joseph Elliot Payne

The Court being duly advised now orders:

Warrant be issued. Bond Amount:

Order to Appear Hearing Date/Time: 9/11/13 Pm CT: 09 ROOM _____

No Hearing scheduled at this time. Other _____

Court remands defendant into custody on this case.

APC May Handle

DATE: AUG 13 2013

Barbara Cook Crawford
Judge of Criminal Division
Elizabeth J. White
Clerk of the Court

STATE OF INDIANA) IN THE MARION SUPERIOR COURT
) CRIMINAL DIVISION, ROOM 9
COUNTY OF MARION) CAUSE NUMBER: 13044328
)
STATE OF INDIANA)
)
VS)
)
WILLIE HEMPHILL)

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM 9
CAUSE NUMBER: 13044328

FILED

31 AUG 19 2013

Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

**DEFENDANT'S MOTION TO CONTINUE JURY AND MODIFY TERMS OF
COMMUNITY CORRECTIONS PRE-TRIAL RELEASE CONDITIONS**

Comes now the Defendant, Willie Hemphill, by counsel, Thomas Lacy, and moves this Court to continue the Jury Trial and modify community corrections placement to gps only. In support of this motion Counsel states the following:

1. The Defendant is schedule for a Jury Trial on September 4, 2013 with a final pretrial conference on August 27, 2013.
2. The Defendant was released on his own recognizance and placed on Marion County Community Corrections home detention and GPS monitoring on July 17, 2013.
3. State witnesses IMPD Fransisco Olmos, Brice Siders, and Courtney Greg failed to appear for scheduled taped statements on August 15, 2013.
4. The only other police officer listed as a witness in this case, IMPD Michael Phillips, also failed to appear for scheduled taped statements on August 16, 2013.
4. Counsel for the defendant rescheduled the taped statements of Officers Michael Phillips and Officer Fransisco Olmos as well as Brice Siders and Courtney Gref for September 5, 2013.
5. The defendant has advised counsel that he has had several job opportunities through a temp job agency, but has been told each time that his home detention

officer requires 48 hours notice, hence defendant has not been able to work since being released.

6. The defendant has advised counsel that he and his wife are at risk of losing their modest house due to the defendant not being able to work as well as having to live in a motel due to the proximity of his house to that of the alleged victim.
7. Deputy Prosecutor, Raeanna Spahn, advised she does not object to the continuance motion.

WHEREFORE, counsel requests this motion be granted.



Thomas Lacy, Atty. No. 24453-53

Thomas Lacy, Marion County Public Defender Agency

151 N. Delaware Street, Suite 202

Indianapolis, IN 46237

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been served upon the Marion County Prosecutor this same date by placing a copy of the same in the Prosecutor's mailbox of this Court or by delivering a copy of same to one of his duly appointed deputies, on or before the date of filing same.



Thomas K. Lacy

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM F09
CAUSE NO. 49-F09-1307-FD-044328

State of Indiana,)
Plaintiff,)
v.)
Willie Hemphill,)
Defendant.)

FILED
20 AUG 20 2013

Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

ORDER REMOVING DEFENDANT FROM MONITORING SERVICE

D636

Defendant is hereby removed from the following Monitoring Service:

- D628 Probation Department**
- D629 Sentinel Offender Services**
- D630 Community Correction [deft. removed from home detention but to REMAIN on GPS]**
- D631 HOCCS**
- D633 Craine House**

8-20-13

Barbara Cook Crawford
Barbara Cook Crawford, Judge
Marion County Superior Court
Criminal Division, Room F09

Distribution: File
Defense Attorney
Probation Intake Unit / fax (317) 327-4269
Sentinel / fax (317) 917-8961
Community Corrections / fax (317) 327-1555
HOCCS / fax (317) 266-9613
Craine House / fax (317) 325-2834

STATE OF INDIANA
COUNTY OF MARION
STATE OF INDIANA
VS.
WILLIE HEMPHILL

) IN THE MARION SUPERIOR COURT
) CRIMINAL DIVISION, ROOM F09
) CASE NO. 13044328
)
)
)
)

ORDER

The Defendant having submitted a motion to the court in the following words and figures:

(H.I.),

And the court having considered this motion, ORDERS that this motion be granted/denied

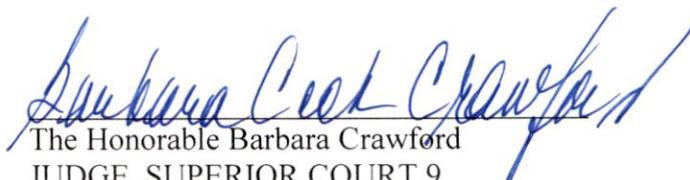
FPTC Date: _____, 2013, at _____ AM/PM.

Jury Date: _____, 2013, at _____ AM/PM.

And the Court, having considered Defendant's request for GPS monitoring only, Orders that this motion is granted/denied.

So ORDERED this ____ day of _____, 2013.

Distribution
Thomas Lacy MCPDA
Raeanna Spahn MCPO
MCCC


The Honorable Barbara Crawford
JUDGE, SUPERIOR COURT 9

STATE OF INDIANA)
COUNTY OF MARION)
STATE OF INDIANA)
VS.)
Willie Hamp hill

)
)
)
)
)

MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM F11

CAUSE NO. 13044308

**ADVISEMENT OF RIGHTS ON PROBATION, COMMUNITY CORRECTIONS, ELECTRONIC
MONITORING, OR HOCCS VIOLATION**

A NOTICE OF PROBATION VIOLATION OR A COMMUNITY CORRECTIONS,
ELECTRONIC MONITORING, OR HOCCS VIOLATION HAS BEEN FILED
AGAINST YOU

1. You have been given written notice of the violation(s) that have been filed against you.
2. You have the following rights when you are alleged to have violated the terms of your probation or your Community Corrections, Electronic Monitoring or HOCCS commitment.
 - a. You have the right to have a contested hearing on the alleged violation(s). At the contested hearing you have the right: 1) to confront and cross-examine the State's witness(es); 2) to use the court's subpoena power to order your own witness(es) to come to court and present evidence on your behalf; 3) to not be required to testify against yourself; and, 4) if you choose to remain silent, your silence cannot be held against you.
 - b. At a contested hearing, if the State proves by a preponderance of the evidence that you committed one or more of the alleged violations, the Court can find you in violation of your probation, or your Community Corrections, Electronic Monitoring, or HOCCS commitment.
 - c. If you are found in violation of your probation or your Community Corrections, Electronic Monitoring, or HOCCS commitment, the Court can impose sanctions which can range all the way from the most lenient sanction of terminating your probation or Community Corrections, Electronic Monitoring, or HOCCS commitment, which means your sentence ends immediately, all the way up to the harshest sanction of revoking your probation or your Community Corrections, Electronic Monitoring, or HOCCS commitment and ordering you to serve part or all of your sentence in the Marion County Jail or the Indiana Department of Corrections, whichever is appropriate. The Judge could also decide to allow you to continue on probation, Community Corrections, Electronic Monitoring, or HOCCS, and in that case, the Judge may add new terms and conditions to your probation and/or your Community Corrections, Electronic Monitoring, or HOCCS commitment.
 - d. You also have the right to have an attorney represent you in this proceeding. You may hire an attorney of your choosing or, if you cannot afford to hire your own attorney, the court can appoint an attorney to represent you at no cost to you.

I HAVE READ THESE RIGHTS AND I UNDERSTAND THEM.

DATE: 8/28/13

Willie Hamp hill
SIGNATURE OF DEFENDANT

STATE OF INDIANA)
COUNTY OF MARION)

STATE OF INDIANA)
)
v.)

Willie Hampill

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM 9

CAUSE NUMBER: 13044328

STATE'S NOTICE OF ADDITIONAL WITNESS(ES)

The State of Indiana having recently learned of the following witness(es), files this Notice of Additional Witnesses for which it intends to call in its case-in-chief; however, this Notice does not preclude the calling of any other person previously listed and/or submitted to the defense in the course of discovery compliance:

1. Francisco Olmos
2. _____
3. _____
4. _____

FILED
226 AUG 21 2013
Clerk of the Marion Circuit Court

Raeanna Spahn

Raeanna Spahn
Deputy Prosecuting Attorney
251 East Ohio Street
Suite 160
Indianapolis, IN 46204
(317) 327-8562

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been served upon the attorney for the defendant by personal service, U.S. First Class Mail, or by placing a copy in his/her P.D. box the date of filing.

Raeanna Spahn

Raeanna Spahn
Deputy Prosecuting Attorney

MARION COUNTY COMMUNITY CORRECTIONS
NOTE OF PRE-TRIAL RELEASE VIOLATION

TO: Barbara Cook- Crawford RE: Hemphill, Willie
Cause No: 49-F09-1307-FD-044328 Gallery No: 683723
Scheduled Court Date: 10/15/2013 at 8:30 On July 18, 2013 was placed on pretrial release for the
offense of: Intimidation / Class D Felony
Total Monetary Obligation: \$0.00 PAID \$0.00 Indigent

Information received indicates that the defendant has violated conditions of pre-trial release as follows:

Willie Hemphill:

1. on or about 8/20/2013, at approximately 11:56 PM, the defendant's MEMS 3000 alcohol equipment was disconnected from its power source.
2. on or about 8/21/2013, at approximately 6:46 PM, the defendant failed to submit a MEMS 3000 alcohol test.
3. on or about 8/21/2013, at approximately 9:07 PM, the defendant failed to submit a MEMS 3000 alcohol test.
4. on or about 8/22/2013, at approximately 6:15 AM, the defendant's alcohol monitoring went into a receiver "missed call" status, which indicates that his MEMS 3000 has been unplugged.
5. failed to submit a baseline urine drug screen.

ADDITIONAL INFORMATION:

This is the second Pre-Trial Notice of Community Corrections Violation filed under this cause number. At a Pre-Trial Conference held on 8/20/2013, the defendant was found indigent and removed from Home Detention and placed on GPS only with a MEMS 3000 alcohol monitoring system.

On 8/22/2013 Community Supervision Manager (CSM) Doyle spoke with the defendant about his failed tests and unplugged machine, the defendant indicated that he was off the MEMS 3000 breathalyzer. However CSM Doyle called Court 9 and was informed he was still on the MEMS 3000 machine. CSM Doyle then informed the defendant he was still on, and the defendant stated he cannot take his tests due to his schedule and wanted to be placed back in jail.

The defendant is currently unemployed.

FILED
226 AUG 22 2013
on
Clerk of the Marion Circuit Court
111

PETITION FOR COURT ACTION

Warrant is requested. Order to Appear is Requested No Hearing scheduled at this time.
 As of today's date, defendant is in Custody. Other _____

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT THE FOREGOING ALLEGATIONS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. 

Date: August 22, 2013

CSM

Ian Doyle

Reviewed by:

Joseph Elliott Payne

The Court being duly advised now orders:

Warrant be issued. Bond Amount: \$ 500.00
 Order to Appear Hearing Date/Time: _____ CT: 09 ROOM _____
 No Hearing scheduled at this time. Other _____
 Court demands defendant into custody on this case.
 APC May Handle _____

DATE: 8/23/13

Judge of Criminal Division
Elizabeth S. White
Clerk of the Court

PRETRIAL VIOLATION (CONTINUED)

RE: Hemphill, Willie

Cause No: 49-F09-1307-FD-044328

(continued from page 1)

ADDITIONAL INFORMATION:

This is the first Pre-Trial Notice of Community Corrections Violation filed under this cause number.

On 8/13/13, an Administrative Hearing was held to address the defendant's issues of submitting a positive breath test, failing to submit his baseline urine drug screen, and allowing his GPS equipment to shutdown. At this hearing, the defendant stated that he did not have anything to drink and would like his attorney present. The defendant's GPS unit shut down on 8/13/2013 at approximately 3:17 AM. The unit was not charged again until 10:29 AM on 8/13/2013. The defendant's whereabouts on 8/13/2013 from 3:17 AM until 10:29 are unknown. The defendant also disagreed with the length of time that his GPS unit was dead for. The defendant also admitted to not taking his urine tests due to not having the money for the tests.

The defendant is currently \$399 in arrears to Community Corrections and has not made a payment towards his financial obligation. The defendant is currently unemployed.

STATE OF INDIANA
COUNTY OF MARION) SS:

STATE OF INDIANA

VS.

W. H. Humpfill
Defendant's Name (Print)

Defendant's Address

Defendant's SSN & Telephone No.

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION

Case ID No. 13044528

Gallery No. 683723

Court

Appearance 10/15/13 1 am (pm) 9
Date Time Court

CASH BOND

The undersigned, defendant and surety, jointly and severally, acknowledge and agree that they are bound to the State of Indiana in the sum of five hundred dollars (\$ 500) to assure the appearance of the defendant in court to answer a charge of intimidation, until this cause is finally determined.

X Pursuant to Indiana Code 35-33-8-8, if the defendant fails to appear before the court as ordered, the court will order the surety to surrender the defendant to the court immediately. If the surety does not produce the defendant, the court shall declare this bond to be forfeited in the full amount of the bond.

Notice of forfeiture will be mailed to the defendant and surety at their addresses stated on this bond. The court will enter judgment for the full amount of the bond against the defendant and the surety and certify the judgment to the Clerk for record. The amount deposited in cash will be applied to the payment of the judgment. Defendant and surety agree that upon defendant's failure to appear as required or upon defendant's violation of any of the conditions of his release from custody, this release may be revoked, this bond forfeited, and a warrant issued for the defendant's arrest.

Defendant agrees to comply with the following conditions of release:

- (1) Defendant will inform the court and his/her attorney of any change of address or employment within 24 hours of such a change.
- (2) Defendant will personally appear in this cause at all hearings, pre-trial conferences, and trials at which his/her attendance is required by the court. Notice of appearance to the defendant will be deemed notice to the surety.
- (3) Notice of appearance to the defendant's attorney of record will be deemed notice to the defendant.
- (4) Defendant will not leave the State of Indiana without permission of the court.
- (5) Defendant agrees to comply with all other conditions of release as ordered by the court.

X Pursuant to Indiana Code 35-33-8-3.2, when the conditions of this bond have been fully satisfied, the court may retain all or a part of the cash to pay publicly paid costs of representation and fines, costs, fees, and restitution that the court may order the defendant to pay if the defendant is convicted. The balance of the deposit, if any, will be returned to the surety.

The defendant and surety understand the terms of this agreement and voluntarily enter into and agree to be bound by all its terms and acknowledge that they are legally responsible for the full amount of the bail.

Signed on this date:

MM/DD/YYYY

Defendant's Signature

As surety on this bond, I further swear under the penalties for perjury that I am eighteen (18) years of age or older, a citizen of the United States, and a bona fide resident in Indiana for more than one (1) year; that I am related to the defendant within the third degree of affinity; and that I own real or personal property now located in Indiana with a value of at least twice the amount of the undertaking.

X Sherrill Humpfill
Surety's Signature

X Sherrill Humpfill
(Print) NAME OF SURETY & Relationship

X Brookdale
Surety's Employer or Other Ref.

TAKEN AND APPROVED ON THIS DATE:

9-19-13

MM/DD/YYYY

X 1212 Jefferson
Surety's Address

X 317) 918-2429
Home Phone No.

X Brookdale
Employer's Address

X 317) 926-1707
Work Phone No.

Elizabeth F. White
CLERK OF THE MARION CIRCUIT COURT
Clerk of the Circuit Court

MDB
Deputy Clerk

CLERK'S OFFICE, MARION COUNTY

Date 09/19/13 Time 21:42
Division 04551 COURT 11
Cashier SCB7885
Payment Number 13071580

Receipt Number 13079747
Receipt 001 of 001
CAUSE # J 13044328
Received From HEMPHILL, SCHRELLE
PAYOR HAMPHILL, WILLIE

Revenue Category	Amount
CASH BOND REFUNDABLE	\$495.00
DEATH BENEFIT	\$5.00

Receipt Total	\$500.00
Cash	\$500.00
Check	\$0.00
Money Order	\$0.00
Interfund Transfer	\$0.00
Credit card / Memo	\$0.00
Amount Tendered	\$500.00
Change Amount	\$0.00
Refund Amount	\$0.00

Approved by State Board of Accounts for
Marion County, 1991

Sep. 20, 2013 10:03AM
Sep. 20, 2013 5:59pm

LMK

No. 6571 p. P. 1

STATE OF INDIANA
COUNTY OF MARION) SS:

STATE OF INDIANA

VS.

Willie Hemphill
Defendant's Name (Print)

Defendant's Address

Defendant's SSN & Telephone No.

IN THE MARION SUPERIOR
CRIMINAL DIVISION

Case ID No. 13044528

Gallery No. 685723

Court
Appearance 10/15/13 Date 1 am (pm) Time 9
Court

CASH BOND

The undersigned, defendant and surety, jointly and severally, acknowledge and agree that they are bound to the State of Indiana in the sum of five hundred dollars (\$ 500) to assure the appearance of the defendant in court to answer a charge of Intimidation, until this cause is finally determined.

Pursuant to Indiana Code 35-33-8-8, if the defendant fails to appear before the court as ordered, the court will order the surety to surrender the defendant to the court immediately. If the surety does not produce the defendant, the court shall declare this bond to be forfeited in the full amount of the bond.

Notice of forfeiture will be mailed to the defendant and surety at their addresses stated on this bond. The court will enter judgment for the full amount of the bond against the defendant and the surety and certify the judgment to the Clerk for record. The amount deposited in cash will be applied to the payment of the judgment. Defendant and surety agree that upon defendant's failure to appear as required or upon defendant's violation of any of the conditions of his release from custody, this release may be revoked, this bond forfeited, and a warrant issued for the defendant's arrest.

Defendant agrees to comply with the following conditions of release:

- (1) Defendant will inform the court and his/her attorney of any change of address or employment within 24 hours of such a change.
- (2) Defendant will personally appear in this cause at all hearings, pre-trial conferences, and trials at which his/her attendance is required by the court. Notice of appearance to the defendant will be deemed notice to the surety.
- (3) Notice of appearance to the defendant's attorney of record will be deemed notice to the defendant.
- (4) Defendant will not leave the State of Indiana without permission of the court.
- (5) Defendant agrees to comply with all other conditions of release as ordered by the court.

Pursuant to Indiana Code 35-33-8-3.2, when the conditions of this bond have been fully satisfied, the court may retain all or a part of the cash to pay publicly held costs of representation and fines, costs, fees, and restitution that the court may order the defendant to pay if the defendant is convicted. The balance of the deposit, if any, will be returned to the surety.

The defendant and surety understand the terms of this agreement and voluntarily enter into and agree to be bound by all its terms and acknowledge that they are legally responsible for the full amount of the bail.

Signed on this date:

9-20-13

MM/DD/YYYY

Defendant's Signature

Willie Hemphill

As surely on this bond, I further swear under the penalties for perjury that I am eighteen (18) years of age or older, a citizen of the United States, and a bona fide resident in Indiana for more than one (1) year; that I am related to the defendant within the third degree of affinity; and that I own real or personal property now located in Indiana with a value of at least twice the amount of the undertaking.

Schmelle

Surety's Signature

Schmelle Hemphill
(Print) NAME OF SURETY & Relationship

1612 Jefferson St.

Surety's Address

46201

(317) 918-2429

Home Phone No.

Brookdale
Surety's Employer or Other Rel.

Brookdale

Employer's Address

(317) 926-1707

Work Phone No.

TAKEN AND APPROVED ON THIS DATE:

9-19-13

MM/DD/YYYY

Elizabeth W. White
CLERK OF THE MARION CIRCUIT COURT
Clerk of the Circuit Court

MDB

Deputy Clerk

STATE OF INDIANA
COUNTY OF MARION) SS:

STATE OF INDIANA

VS.

Willie Humphill

Defendant's Name (Print)

Defendant's Address

Defendant's SSN & Telephone No.

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION

Case ID No. 13044528

Gallery No. 683723

Court

Appearance 10/15/13

Date

1 am (pm)

9

Time

Court

CASH BOND

The undersigned, defendant and surety, jointly and severally, acknowledge and agree that they are bound to the State of Indiana in the sum of five-hundred dollars (\$ 500) to assure the appearance of the defendant in court to answer a charge of intimidation, until this cause is finally determined.

XSH Pursuant to Indiana Code 35-33-8-8, if the defendant fails to appear before the court as ordered, the court will order the surety to surrender the defendant to the court immediately. If the surety does not produce the defendant, the court shall declare this bond to be forfeited in the full amount of the bond.

Notice of forfeiture will be mailed to the defendant and surety at their addresses stated on this bond. The court will enter judgment for the full amount of the bond against the defendant and the surety and certify the judgment to the Clerk for record. The amount deposited in cash will be applied to the payment of the judgment. Defendant and surety agree that upon defendant's failure to appear as required or upon defendant's violation of any of the conditions of his release from custody, this release may be revoked, this bond forfeited, and a warrant issued for the defendant's arrest.

Defendant agrees to comply with the following conditions of release:

- (1) Defendant will inform the court and his/her attorney of any change of address or employment within 24 hours of such a change.
- (2) Defendant will personally appear in this cause at all hearings, pre-trial conferences, and trials at which his/her attendance is required by the court. Notice of appearance to the defendant will be deemed notice to the surety.
- (3) Notice of appearance to the defendant's attorney of record will be deemed notice to the defendant.
- (4) Defendant will not leave the State of Indiana without permission of the court.
- (5) Defendant agrees to comply with all other conditions of release as ordered by the court.

XSH Pursuant to Indiana Code 35-33-8-3.2, when the conditions of this bond have been fully satisfied, the court may retain all or a part of the cash to pay publicly paid costs of representation and fines, costs, fees, and restitution that the court may order the defendant to pay if the defendant is convicted. The balance of the deposit, if any, will be returned to the surety.

The defendant and surety understand the terms of this agreement and voluntarily enter into and agree to be bound by all its terms and acknowledge that they are legally responsible for the full amount of the bail.

Signed on this date:

9/20/13

MM/DD/YYYY

Defendant's Signature

Willie Humphill

Surely's Signature

X Schmelle Humphill

(Print) NAME OF SURETY & Relationship

X Brookdale

Surely's Employer or Other Rel.

TAKEN AND APPROVED ON THIS DATE:

9-19-13

MM/DD/YYYY

X 612

Surety's Address

X Jeffers on

46201

X (317) 918-2427

Home Phone No.

X Brookdale

Employer's Address

X (317) 926-1707

Work Phone No.

Elizabeth R. White
CLERK OF THE MARION CIRCUIT COURT
Clerk of the Circuit Court

MDB

Deputy Clerk

STATE OF INDIANA

COUNTY OF MARION

STATE OF INDIANA

Vs.

Willie Hemphill

) IN MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM 9

CAUSE #

13044328

NEXT DATE

ATTORNEY

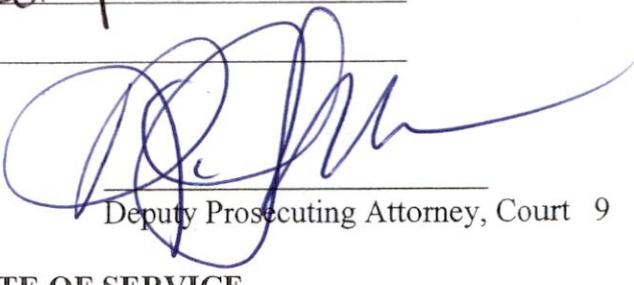
Tom Lacy

STATE'S SUPPLEMENTAL NOTICE OF DISCOVERY COMPLIANCE

The State of Indiana hereby notifies the Court that it has learned of items other than those provided in the State's initial discovery materials that are subject to discovery and has provided defense counsel with the following item(s):

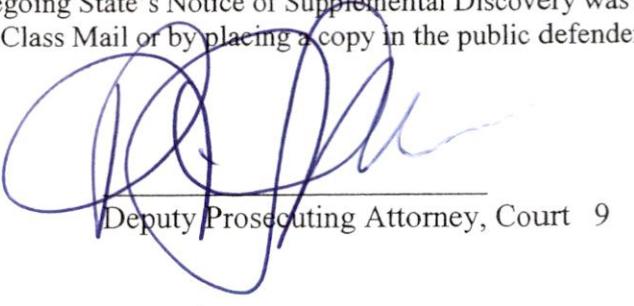
- Certified Prior Convictions and OARs ()
- Certified Search Warrant
- Certified Driving Record
- Lab Analysis Results
- Certified Vehicle Registration
- Video: [] Copies [] Available to review
- Photos: [] Copies [] Available to review
- Proof of Restitution
- Witness(es): _____
- Other: 2 Certified prior Convictions
- Other: _____

226
C
FILED
AUG 22 2013
Elaine M. White
CLERK OF THE MARION CIRCUIT COURT


Deputy Prosecuting Attorney, Court 9

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing State's Notice of Supplemental Discovery was served on attorney for defendant by personal service, U.S. First Class Mail or by placing a copy in the public defender's mailbox the date of filing.


Deputy Prosecuting Attorney, Court 9

STATE OF INDIANA)
) SS:
 COUNTY OF MARION)

 STATE OF INDIANA)
)
 -VS-)
)
 WILLIE HEMPHILL)

IN THE MARION SUPERIOR COURT
 CRIMINAL DIVISION, ROOM F09
 CAUSE NO.: 49-F09-1307-FD-044328

FILED

(152)

AUG 23 2013

Elizabeth A. White
 MARION SUPERIOR COURT CIRCUIT COURT

NOTICE OF TAPED STATEMENT

To: DEPUTY PROSECUTING ATTORNEY: Raeanna Spahn
 Marion County Prosecutor's Office
 251 E. Ohio St. Suite 200
 Indianapolis, Indiana 46204

You are hereby notified that on September 5, 2013 at 1:00 pm. The Defendant will take a taped statement of Brice Siders, Courtney Greg, Officer Michael Phillips (#205105), and Officer Fansisco Olmos (#30452) c/o The Marion County Prosecutor's Office (Raeanna Spahn) 251 E. Ohio St. Indianapolis, Indiana 46204, by a Notary Public, other person as may be duly qualified to administer oath for evidence, or an agency reporter. The above taped statement will take place at the **Marion County Public Defender Agency, located at 151 N. Delaware St., Suite 202, Indianapolis, Indiana, 46204**. You are invited to attend and cross-examine.

Thomas Lacy
 Thomas Lacy
 Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the Marion County Prosecutor, by placing a copy of same in the Prosecutor's box of this Court or by delivering a copy of the same to one of his duly appointed deputies, on or before the date of filing same.

Thomas Lacy
 Thomas Lacy

Marion County Public Defender Agency
 151 N. Delaware St., Suite 200
 Indianapolis, Indiana 46204
 (317) 327-4100

STATE OF INDIANA) IN THE MARION CRIMINAL COURT 9
)
COUNTY OF MARION) CAUSE NO: 49-F09-1307-FD-044328
)
STATE OF INDIANA)
)
)
WILLIE HAMPHILL)

FILED

(80) SEP 03 2013

Elizabeth L. White
CLERK OF THE MARION CIRCUIT COURT

ORDER

Comes now the defendant, by counsel, and the Court having heard oral argument on August 20, 2013 now grants the defendant's motion to Retrieve Property of Defendant, Willie Hamphill, which is in the words and figures as follows:

(H.I.)

And the Court being duly advised in the premises now, GRANTS petition. IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

That the defendant may retrieve his property from 49 Jefferson Street, Indianapolis, Indiana on September 5, 2013 between the hours of 3:00 PM and 8:00 PM.

Barbara Cook Crawford
JUDGE: Marion County Superior Court
Criminal Division, Room No. 9

Date:

DISTRIBUTION:

Tom Lacy- Marion County Public Defender
Raeanna Spahn -Marion County Prosecutor's Office

STATE OF INDIANA) IN THE MARION COUNTY SUPERIOR COURT
COUNTY OF MARION))
) SS: CRIMINAL DIVISION, ROOM NO. 9

FILED

STATE OF INDIANA

(226) SEP 15 2013

vs.

WILLIE HAMPHILL

On
Elizabeth J. Wilho
CLERK OF THE MARION CIRCUIT COURT

) CAUSE NO. 49-F09-1307-FD-044328

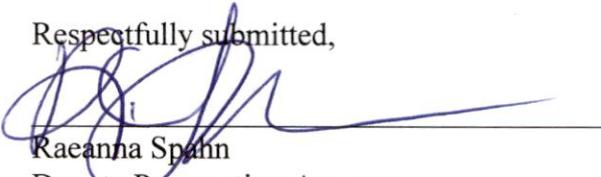
STATE'S NOTICE OF INTENT TO INTRODUCE 404(B) EVIDENCE

The State of Indiana, by its Deputy Prosecuting Attorney, respectfully notifies the Court as follows:

1. The State intends to introduce evidence that: the defendant verbally threatened the alleged victim, Donald Childs.
- a. The defendant has previously committed the same type of acts as the charged offense (please see attached police report);
- b. The defendant had motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake.

This evidence will be introduced to show motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake to commit the alleged offense and/or further the acts of the charged offense.

Respectfully submitted,


Raeanna Spahn
Deputy Prosecuting Attorney

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing motion has been sent by U.S. Mail, first class postage paid or by placing a copy in the public defender's mailbox on the date file-stamped hereon.


Raeanna Spahn
Deputy Prosecuting Attorney

STATE OF INDIANA

) COUNTY OF MARION

) STATE OF INDIANA

) Vs.

) IN MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM 9

Willie Hampfill

CAUSE # 13S44328

NEXT DATE

ATTORNEY

Stacy

STATE'S SUPPLEMENTAL NOTICE OF DISCOVERY COMPLIANCE

The State of Indiana hereby notifies the Court that it has learned of items other than those provided in the State's initial discovery materials that are subject to discovery and has provided defense counsel with the following item(s):

- Certified Prior Convictions and OARs ()
- Certified Search Warrant
- Certified Driving Record
- Lab Analysis Results
- Certified Vehicle Registration
- Video: [] Copies [] Available to review
- Photos: [] Copies [] Available to review
- Proof of Restitution
- Witness(es): Shari Woodruff and Allen Johnson
- Other: Police Report - Agency 130063288
- Other: _____

226
FILED
SEP 05 2013

Elaine
CLERK OF THE MARION CIRCUIT COURT

DGH
Deputy Prosecuting Attorney, Court 9

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing State's Notice of Supplemental Discovery was served on attorney for defendant by personal service, U.S. First Class Mail or by placing a copy in the public defender's mailbox the date of filing.

DGH
Deputy Prosecuting Attorney, Court 9

1075

MARION COUNTY COMMUNITY CORRECTIONS
NOTICE OF PRE-TRIAL RELEASE VIOLATION

TO: Barbara Cook- Crawford RE: Hemphill, Willie
Cause No: 49-F09-1307-FD-044328 Gallery No: 683723
Scheduled Court Date: 10/15/2013 at 1:00 On July 18, 2013 was placed on pretrial release for the
offense of: Intimidation / Class D Felony
Total Monetary Obligation: \$0.00 PAID \$0.00 Indigent

Information received indicates that the defendant has violated conditions of pre-trial release as follows:

Willie Hemphill:

1. on or about 9/5/2013, the defendant submitted a positive MEMS 3000 alcohol monitoring test at 8:01 PM with a blood alcohol level of .1240.
2. on or about 9/5/2013, the defendant submitted a positive MEMS 3000 alcohol monitoring test at 8:10 PM with a blood alcohol level of .1360.
3. on or about 9/5/2013, the defendant submitted a positive MEMS 3000 alcohol monitoring test at 8:20 PM with a blood alcohol level of .1270.
4. on or about 9/5/2013, the defendant submitted a positive MEMS 3000 alcohol monitoring test at 8:30 PM with a blood alcohol level of .1100.
5. on or about 9/5/2013, the defendant submitted a positive MEMS 3000 alcohol monitoring test at 9:07 PM with a blood alcohol level of .0860.
6. on or about 9/5/2013, the defendant failed to submit a MEMS 3000 alcohol monitoring test at 9:20 PM.
7. failed to submit a baseline urine drug screen.

ADDITIONAL INFORMATION:

This is the third Pre-Trial Notice of Community Corrections Violation filed under this cause number. At a Pre-Trial Conference held on 8/20/2013, the defendant was found indigent and removed from Home Detention and placed on GPS only with a MEMS 3000 alcohol monitoring system. At a Community Corrections hearing on 8/30/2013, the defendant was released on own recognizance. A final Pre-Trial Conference is scheduled for 10/15/2013.

1226
CM SEP 09 2013
Elizabeth W. White
CLERK OF THE MARION CIRCUIT COURT

PETITION FOR COURT ACTION

Warrant is requested. Order to Appear is Requested No Hearing scheduled at this time.

As of today's date, defendant is in Custody. Other _____

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT THE FOREGOING ALLEGATIONS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Date: September 06, 2013

CSM

Ian Doyle
Ian Doyle

Reviewed by:

Joseph Elliot Payne
Joseph Elliot Payne

The Court being duly advised now orders:

Warrant be issued. Bond Amount:

Order to Appear Hearing Date/Time: 09/17/13 PM CT: 09 ROOM _____

No Hearing scheduled at this time.

Other

meaning already set

Court remands defendant into custody on this case.

APC May Handle

DATE: _____

Barbara Cook Crawford
Judge of Criminal Division

Elizabeth W. White
Clerk of the Court

JSAR504C

NOTICE OF BOND SET
SUPERIOR CRIMINAL COURT

09/11/13
16:42:13

CASE ID 13044328 COURT F09

GALLERY# 000000683723 NAME HAMPHILL WILLIE

PREVIOUS BOND: \$ NB HOLD WITHOUT BOND

SATISFIED: 09/11/13 14:30:00

SURETY
ADDRESS

BONDSMAN
AGENCY
ADDRESS

CURRENT BOND: \$500.00 CS CASH BOND

SPECIAL CONDITIONS:

NONE

STATE OF INDIANA)
COUNTY OF MARION) SS:
STATE OF INDIANA)
VS.)

Willie Hampill)

MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM F11

CAUSE NO. 13044328

FILED

(102)

SEP 11 2013

CLERK OF MARION COUNTY COURT
CLERK OF THE MARION CIRCUIT COURT

ADVISEMENT OF RIGHTS ON PROBATION, COMMUNITY CORRECTIONS, ELECTRONIC MONITORING, OR HOCCS VIOLATION

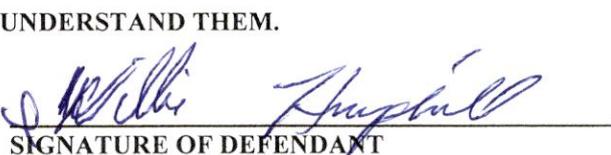
A NOTICE OF PROBATION VIOLATION OR A COMMUNITY CORRECTIONS, ELECTRONIC MONITORING, OR HOCCS VIOLATION HAS BEEN FILED AGAINST YOU

~~You have been given written notice of the violation(s) that have been filed against you.~~

2. You have the following rights when you are alleged to have violated the terms of your probation or your Community Corrections, Electronic Monitoring or HOCCS commitment.
 - a. You have the right to have a contested hearing on the alleged violation(s). At the contested hearing you have the right: 1) to confront and cross-examine the State's witness(es); 2) to use the court's subpoena power to order your own witness(es) to come to court and present evidence on your behalf; 3) to not be required to testify against yourself; and, 4) if you choose to remain silent, your silence cannot be held against you.
 - b. At a contested hearing, if the State proves by a preponderance of the evidence that you committed one or more of the alleged violations, the Court can find you in violation of your probation, or your Community Corrections, Electronic Monitoring, or HOCCS commitment.
 - c. If you are found in violation of your probation or your Community Corrections, Electronic Monitoring, or HOCCS commitment, the Court can impose sanctions which can range all the way from the most lenient sanction of terminating your probation or Community Corrections, Electronic Monitoring, or HOCCS commitment, which means your sentence ends immediately, all the way up to the harshest sanction of revoking your probation or your Community Corrections, Electronic Monitoring, or HOCCS commitment and ordering you to serve part or all of your sentence in the Marion County Jail or the Indiana Department of Corrections, whichever is appropriate. The Judge could also decide to allow you to continue on probation, Community Corrections, Electronic Monitoring, or HOCCS, and in that case, the Judge may add new terms and conditions to your probation and/or your Community Corrections, Electronic Monitoring, or HOCCS commitment.
 - d. You also have the right to have an attorney represent you in this proceeding. You may hire an attorney of your choosing or, if you cannot afford to hire your own attorney, the court can appoint an attorney to represent you at no cost to you.

I HAVE READ THESE RIGHTS AND I UNDERSTAND THEM.

DATE: 9-11-13


SIGNATURE OF DEFENDANT

MARION COUNTY COMMUNITY CORRECTIONS

NOTICE OF PRE-TRIAL RELEASE VIOLATION

TO: Barbara Cook- Crawford

RE: Hemphill, Willie

Cause No: 49-F09-1307-FD-044328

Gallery No: 683723

Scheduled Court Date: 10/15/13 at 1:00pm On July 18, 2013 was placed on pretrial release for the offense of: Intimidation / Class D Felony

Total Monetary Obligation: \$0.00 PAID \$0.00 Indigent**Information received indicates that the defendant has violated conditions of pre-trial release as follows:**

Willie Hemphill:

1. on 9/11/13 at 3:32am, a Strap Tamper and Body Tamper alerts were generated indicating that the defendant's anklet may have been removed from his person.
2. on 9/11/13, failed to properly maintain his GPS Equipment.
3. failed to maintain contact with Community Corrections.

ADDITIONAL INFORMATION:

This is the fourth Pre-Trial Notice of Community Corrections Violation filed under this cause number. At Hearing on 8/30/13, the defendant was returned to Community Corrections for monitoring. A Pre-Trial Conference is set for 10/15/13 at 1:00pm in F09 and a Jury Trial is set for 10/23/13 and 10/24/13 at 8:30am in F09.

On 9/11/13, Community Supervision Manager Robert Wright was unable to make contact with the defendant at the numbers provided. At this time, the defendant's current whereabouts are unknown.

FILED
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Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

PETITION FOR COURT ACTION

Warrant is requested. Order to Appear is Requested No Hearing scheduled at this time.

As of today's date, defendant is in Custody. Other _____

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT THE FOREGOING ALLEGATIONS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Date: September 11, 2013 CSM //s Robert Wright Reviewed by: Joseph Elliot Payne
Robert Wright

The Court being duly advised now orders:

Warrant be issued. Bond Amount: B6 No Bond

Order to Appear Hearing Date/Time: _____ CT: 09 ROOM _____

No Hearing scheduled at this time. Other _____

Court remands defendant into custody on this case.

APC May Handle

DATE: 9-11-2013

[Handwritten signatures]
Judge of Criminal Division FIL
Clerk of the Court

To:

From: "Wright, Robert T."

09/11/13 04:21 AM

Page 3 of 3

PRETRIAL VIOLATION (CONTINUED)

RE: Hemphill, Willie

Cause No: 49-F09-1307-FD-044328

STATE OF INDIANA
COUNTY OF MARION
STATE OF INDIANA
VS.
WILLIE HEMPHILL

) IN THE MARION SUPERIOR COURT
) CRIMINAL DIVISION, ROOM 9
) CASE NO. 3044328
) 226
) SEP 20 2013
)
FILED
Clerk of the Marion Circuit Court

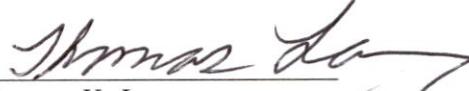
**MOTION TO VACATE JURY TRIAL AND FINAL PRE TRIAL AND SET
FOR GUILTY PLEA HEARING**

Comes now the defendant, Willie Hemphill, by counsel, Thomas Lacy, and files this Motion. In support of said motion would respectfully show the court as follows:

- 1) The defendant is scheduled for Fast and Speedy Jury Trial on October 23 and October 24, 2013 with a final pre-trial conference scheduled for October 15, 2013 at 9:00 am.
- 2) A time-served misdemeanor plea agreement has been reached resolving this matter. (see original plea attached).
- 3) Counsel requests that this matter be set for a guilty plea hearing on September 24, 2013 as client is in the custody of the Marion County Sheriff's Department.
- 4) Deputy Prosecutor, Raeanna Spahn, was contacted regarding this request for setting this matter for guilty plea hearing and does not object..
- 5) Counsel waives a presentence report as the plea is for a time-served misdemeanor plea.

Wherefore, counsel for the Defendant prays for an Order setting this matter for a Guilty Plea Hearing and for all other relief proper in the premises.

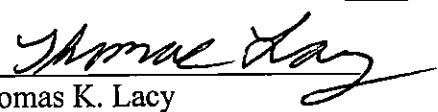
Respectfully submitted,


Thomas K. Lacy
Atty. No. 24453-53

Thomas Lacy, Deputy Public Defender
151 N. Delaware Street, Suite 200
Indianapolis, IN 46204
Ph: (317)327-4472

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on the Marion County Deputy Prosecutor by placing a copy of same in his/her duly appointed mailbox in Court F-09 or via e-mail this 20 day of September, 2013.



Thomas K. Lacy

STATE OF INDIANA
COUNTY OF MARION
STATE OF INDIANA
VS.
WILLIE HEMPHILL

) IN THE MARION SUPERIOR COURT
) CRIMINAL DIVISION, ROOM 9
) CASE NO. 13044328
)
)
)
)
)
)

FILED

31 SEP 23 2013

Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

ORDER

The Defendant having submitted a motion to the court in the following words and figures:

(H.I.),

And the court having considered this motion, ORDERS that the Motion is:

Granted/Denied.

Guilty Plea Hearing Date: September 24th, 2013, at 8:30 AM/PM.

So ORDERED this 23rd day of September, 2013.

Barbara A. Crawford
The Honorable Barbara Crawford
JUDGE, SUPERIOR COURT 9

Distribution:
MCPDA/Thomas Lacy
State of Indiana/Raeanna Spahn

To: Thomas Lacy; Attorney

I Willie Hemphill; Can not plead guilty to ~~tres~~passing in two different areas at the same time; Reason being I didn't. I would like to settle this Case; But the most I am guilty of for an Argument is Disturbing the Peace or Stay Walking. If we can reach a deal on one of the Above I would be willing to also maintain the current No-Contact order for 1-year. The State has to realize they asking A lot of me; Just to ~~try~~ try and Protect A Convicted murderer and a Man whom lied on A Police Report to take away my Freedom.

Signed Willie Hemphill

Dated 9-24-13

STATE OF INDIANA
MARION COUNTY, SS:

THE STATE OF INDIANA)

) vs.

Willie Hamphill)

RACE: B SEX: M)

DOB: 9/10/1971)

Cause No.: 13044328

The undersigned affiant does hereby swear or affirm under the penalties of perjury that:

On or about 7/7/13, in Marion County, State of Indiana, the following named defendant Willie Hamphill, did knowingly or intentionally:

- enter the real property of _____, another person, after having been denied entry by said other person or an agent of said other person, said defendant not having a contractual interest in said real property.
- refuse to leave the real property of Donald Childs, another person, after having been asked to leave by said other person or an agent of said other person, said defendant not having a contractual interest in said real property.
- interfere with the use or possession of the property of _____, another person, without the consent of said other person.
- enter the dwelling of _____, another person, without the consent of said other person..

All of which is contrary to the laws of the State of Indiana.

Signed _____

Printed Raearna Spahn

State's Witnesses:

Same as 1

Approved _____


Deputy Prosecuting Attorney
Nineteenth Judicial Circuit

STATE OF INDIANA)
COUNTY OF MARION) SS:
STATE OF INDIANA)
V)
)

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM 9

Cause No.

13044328

Willie Hamp hill

MOTION TO DISMISS

The State of Indiana moves the Court:

[to dismiss all counts in the above-captioned case]

[to dismiss the following counts in the above-captioned case]:

Count 1 Inimidation

Count _____

Count _____

Count _____

226
FILED
SEP 24 2013

Erin M. Murphy
CLERK OF THE MARION CIRCUIT COURT

for the following reasons:

<u>Code</u>	<u>Charge</u>
01	Evidentiary Problems
02	Essential Police Witness Not Present _____
03	Essential Civilian Witness Not Present _____
04	Plea Agreement
05	Diversion
06	State Declines Prosecution
07	Restitution Made To Victim
16	Good Defense
31	Unable To Locate Essential Witness
65	Defendant Deceased
67	Victim Relants
	Other: _____

Date

9/24/13

R. M. Murphy
Deputy Prosecuting Attorney

The Court having examined said Motion To Dismiss, and being duly advised, now sustains said motion.

9-24-2013

Date

Judge, Marion Superior Court
Criminal Division, Room 9

STATE OF INDIANA
COUNTY OF MARION

STATE OF INDIANA

vs
Willie Hampill

) IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION, ROOM

) CAUSE NO. 13044328
Charge(s) CRIMINAL TRESPASS/MA (Count 2)

ADVISEMENT AND WAIVER OF RIGHTS

Before the Court may accept a GUILTY PLEA, you must be informed of certain facts and certain RIGHTS that you have. You must read this document carefully.

W/H 1. You have been charged with Criminal Trespass, a Class A Misdemeanor.

W/H 2. The maximum penalty for a Class A Misdemeanor is 365 days in jail and/or a fine of \$5000.00.

W/H 3. The minimum penalty for any Misdemeanor is 0 days in jail and \$0.00; however, court costs must be paid. Additionally, you may be placed on probation for up to one year.

W/H 4. If you are pleading guilty to more than one Misdemeanor, the Court may impose the penalties concurrently, i.e., together, or consecutively, i.e., one after the other.

W/H 5. If you were on probation or parole, or were incarcerated, or released on bond on your own recognizance, for another offense at the time you committed this offense, your plea of guilty may have an adverse effect upon your probation, parole, or incarceration status, and any sentence that you may receive for this offense must be consecutive to any sentence that you may have or will receive on the other offense.

W/H 6. If you have a prior history of juvenile or criminal offenses, that fact alone may cause you to receive a harsher penalty than you would otherwise receive.

W/H 7. You have the right to be represented by an attorney. If you cannot afford an attorney, the Court will appoint an attorney for you. You have the right to a continuance in which to hire an attorney and to have your attorney prepare your case and subpoena witnesses. If you choose to proceed without an attorney, you will be giving up these rights.

W/H 8. You have the right to a public and speedy trial by jury; the right to subpoena witnesses at no cost; the right to confront and cross examine witnesses against you; the right to require that the State prove you guilty beyond a reasonable doubt at a trial at which you do not have to testify, but in which you may testify if you wish; if you choose to remain silent, that silence cannot be used against you; and the right to appeal any decision made by the Judge. By pleading guilty you will give up and waive each and every one of these rights.

W/H 9. Your guilty plea has been made knowingly and voluntarily, and no promises, threats or force have been used to make you plead guilty.

W/H 10. If you and the State have entered into a plea agreement on your case, and the Judge accepts your guilty plea, the Judge must follow the plea agreement and cannot alter the terms. If the Court rejects the plea, all of your rights are restored to you.

W/H 11. You have been given the opportunity to read the Probable cause Affidavit and Information filed in this case and the facts contained in it are true and constitute a factual basis for your plea.

W/H 12. The Defendant affirms that if he/she is not a citizen of the United States, he/she wishes to enter a guilty plea even if a conviction in this case results in deportation, denial of re-entry, prohibition of citizenship, or loss of any future immigration benefit. (W/H)

W/H 13. Defendant hereby waives the right to appeal any sentence imposed by the Court, including the right to seek appellate review of the sentence pursuant to Indiana Appellate Rule 7(B), so long as the Court sentences the defendant within the terms of this plea agreement (W/H).

PLEA TERMS:

Total Sentence = 365 days
Jail credit days = 27+27 = 54
Days Suspended = 311
Additional Jail days = 0

Community Service Work 0 hours
(At a non-profit organization)

Days on Probation
 All Standard Conditions and Fees of Probation
 Probation will terminate upon completion
 Probation will become non-reporting upon completion of all terms and payment of all fees.
 Non-Reporting Probation

Fines and Costs to discretion of the Court.

\$ _____ Fine with \$166.00 Costs for a total of \$ _____.

Restitution in the amount of \$ _____ paid to _____ through Probation Department.

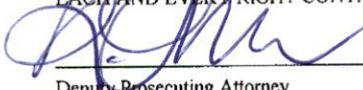
THIS IS A PRE-TRIAL PLEA AGREEMENT THAT EXPIRES 10/11/13.

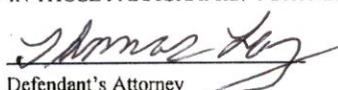
Stay Away from No Contact with: _____

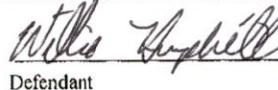
Defendant agrees to serve no less than _____ hours not completed.

Additional Terms: State will dismiss Count 1

I HEREBY CERTIFY THAT I HAVE READ THE ABOVE STATEMENTS, UNDERSTAND EACH ONE, AND WISH TO WAIVE AND HEREBY DO WAIVE EACH AND EVERY RIGHT CONTAINED IN THOSE PARAGRAPHS. FURTHER, I ACCEPT THIS PLEA AGREEMENT.


Deputy Prosecuting Attorney


Defendant's Attorney


Defendant


Date 9/20/2013

CAUSE NO. 13044328

STATE OF INDIANA,)
vs.)
)

FILED

152 SEP 24 2013

Willie Hemphill

CLERK OF THE MARION CIRCUIT COURT

BOND REFUND ORDER

The Defendant in the above mentioned cause number had a bond posted under payment number _____.

There is a refund accessible in the amount of \$ 495.00.

The CLERK of the Court is hereby directed to apply bond money to the following if the defendant is convicted:

1. \$ <u>218</u>	Court fines and costs.
2. \$ _____	Probation Fines, Costs and User fees.
3. \$ _____	Supplemental Public Defender Fund
4. \$ _____	Surety
5. \$ _____	Other (please specify) _____

ORDERED this 24 day of Sept, 2013.

**BARBARA COOK-CRAWFORD, JUDGE
MARION SUPERIOR COURT
CRIMINAL DIVISION RM 9**

STATE OF INDIANA

COUNTY OF MARION

STATE OF INDIANA

VS.

Willie Hanuphill

)SS:

IN THE MARION SUPERIOR COURT ROOM NO F09
CAUSE NO. 13044520

ORDER OF JUDGMENT
OF CONVICTION

FILED

(20)

O 002 SEP 24 2013

Elizabeth G. White

CLERK OF THE MARION CIRCUIT COURT

The Defendant, _____ (age); in person and by counsel _____

Having been advised of his right to counsel, knowingly and voluntarily waives said right); and the State by its Deputy Prosecutor
Kaleanna Spann _____ :

Thomas Lally

THE DEFENDANT HAVING ENTERED A PLEA OF GUILTY:

The court now finds that the Defendant was advised of his right to a public and speedy trial by jury; the right to confront and cross-examine witnesses against him; the right to subpoena witnesses, the right to require the State to prove his guilt beyond a reasonable doubt at a trial in which he does not have to testify; and the defendant has the right to appeal any decision by the Judge.

THE COURT FURTHER FINDS that the Defendant was advised of the maximum and minimum possible sentences; the possibility of increased sentence because of the Defendant's prior convictions; the possibility of consecutive sentences; and that the Court does not have to accept any plea agreement tendered; but, if the Court does accept that plea agreement, the Court is bound by the agreement.

THE COURT FURTHER FINDS that the Defendant understood each of those rights and advisement's and knowingly and voluntarily waived each of those rights and that the Defendant understands the nature of the charges against him.

THE COURT FINDS that the Defendant read, understood and signed a written waiver of those rights.

THE COURT FURTHER FINDS that there is a factual basis for the charge, The Court accepts Defendant's **PLEA OF GUILTY.**

THE DEFENDANT HAVING BEEN FOUND GUILTY BY COURT BY JURY

THE COURT ENTERS A JUDGMENT OF CONVICTION FOR THE OFFENSE(S) OF:

Count 2 Criminal Trespassing Class A, B, C, D (Felony) (Misd.)

Count _____ Class A, B, C, D (Felony) (Misd.)

Count _____ Class A, B, C, D (Felony) (Misd.)

The Court now conducts a sentencing hearing and considers: (the pre-sentence report); the nature and circumstances of the crime(s) committed; the risk that the Defendant will commit another crime; and the prior criminal record, character and condition of the person.

The Court, (having heard evidence) (after offering both sides an opportunity to adduce evidence) now finds: (A) That there are no aggravating or mitigating circumstances; (B) That these are the (aggravating) (mitigating) circumstances;

G217

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED THAT THE DEFENDANT BE SENTENCED;

G228 Count(s) _____ Judgment of conviction entered as Misdemeanor (ALT. MISD.)

OVER ↗

X000:
As to Count 2,

Imposed 3050 d/y; Suspended 311 d/y; Executed 54 d/y
Sentence to run (concurrent) (consecutive) to count ;
Probation for D/Y; Probation to run (concurrent) (consecutive) to count .
Fine of \$.

As to Count , Imposed d/y; Suspended d/y; Executed d/y
Sentence to run (concurrent) (consecutive) to count ;
Probation for D/Y; Probation to run (concurrent) (consecutive) to count .
Fine of \$.

As to Count , Imposed d/y; Suspended d/y; Executed d/y
Sentence to run (concurrent) (consecutive) to count ;
Probation for D/Y; Probation to run (concurrent) (consecutive) to count .
Fine of \$.

Case sentence to run (concurrent) (consecutive) to cause .

G171 Commitment ordered to (MCJ) (DOC) (CCJ) (HOC). The Defendant is entitled to 21 days credit for time spent in confinement before sentencing.

Sentence to be served intermittently as follows:

The Defendant is assessed court costs of \$ 168.00; and total case fines of \$ 50.00

Fines and Costs suspended, Defendant indigent.

Fines and costs stayed until 12/12/13

G172 Defendant placed on probation D/Y total all counts;

G174 Level II Probation see ORDER

G234 Fines and costs to be paid through Probation Department:

G175 Defendant's drivers' license is suspended for days; with day's credit.

G245 Defendant is ordered to attend Defensive Driving School.

G176 180 days restricted licen

D177 Sentencing Comments: SAO- 

G217 Free Text: Bond referred to go towards fees & costs

D490 Defendant shall self report to facility upon release.

D491 Defendant to be released to Community Correction Center Staff.

MONETARY OBLIGATIONS

Unless otherwise ordered by the trial Judge in the space provided below, pursuant to the standing order of the Marion Superior Court, the minimum fee allowed by law shall be imposed. All court-ordered fees may be entered as a Civil Judgment. If not paid in a satisfactory manner as determined by probation, such fees maybe referred for collection to the City Office of Corporation Counsel. A collection fee will be added. If a Conditional Release Fee was assessed prior to sentencing, any remaining balance due will be collected as a condition of probation by the Probation Department.

You are hereby assessed the following fees (if no box is checked any fee that applies to your case will be assessed at intake):

ADS Fee
 Probation User Fees
 Urine Drug Screen Fees
 Public Defender Fee

Restitution Order:

Countermeasure Fee
 Drug Interdiction Fee
 Court Costs
 Domestic Violence Fee

Child Abuse Fee
 Safe School Fee
 Fines

Recipient _____ \$ _____
Recipient _____ \$ _____
Recipient _____ \$ _____
Recipient _____ \$ _____

9/24/13
Date

Barbara L. East Crawford
Judge

ABSTRACT OF JUDGMENT

THE STATE OF INDIANA VS. WILLIE HAMPHILL

MARION COUNTY JAIL

INSTRUCTIONS: this form must accompany the Judgment, Pre-Sentence Report, and all other documents required by law, upon the commitment of the adult offender to the Marion County Jail. A separate Abstract must be used for each Cause Number

CAUSE NO
49-F09-1307-FD-044328
DATE OF SENTENCING
09/24/13

PROSECUTOR
RAEANNA SPAHN

COURT
SUPERIOR CRIMINAL 09
MODIFICATION DATE
PRESIDING JUDGE
BARBARA C. CRAWFORD
DEFENSE ATTORNEY
THOMAS K. LACY

PART 1 The defendant was found Guilty of the following crimes under the above-referenced cause:

COUNT	CRIME	CLASS	FEL	MISD	STATUTORY CITATION
002	CRIMINAL TRESPASS/MA	MA		X	0035-0043-0002-0002

PART 2 As a result of the above convictions, the Court has sentenced the defendant to the MCJ as follows:
(If consecutive time is received, check only those counts which are to follow the original sentence)

COUNT	SENTENCE YEARS/DAYS	EXECUTED YEARS/DAYS	SUSPENDED YEARS/DAYS	CON. CUR.	CON. SEC.	...WITH (COUNT OR CAUSE#)
002	00365 D	00054 D	00311 D	X		

PART 3 JUDGE'S RECOMMENDATIONS

Is the defendant to be returned to the Court for probation at the completion of sentence? Yes No Chief Probation Officer

No. of days confined prior to sentencing 27 Recommended degree of security MAX MED MIN X No Rec

Additional comments and recommendations:

Sentencing comments: STAY AWAY ORDER FROM [REDACTED]

PART 4

JUDICIAL SIGNATURE

Signature of committing Judge

Barbara C. Crawford

Date Signed

9-26-2013

PART 5

AFFIDAVIT OF CLERK

State of Indiana

County of Marion

} ss:

I, ELIZABETH L. WHITE, Clerk of Marion County, State of Indiana, do hereby certify that the foregoing is a true and complete abstract of judgment of said Court in the above-entitled cause, on the date first shown on record in my office. As testimony of these facts, I sign my name and affix the seal of the Superior Criminal Court 09 of Marion County, at my office in the City of Indianapolis.

THIS 26 DAY OF September, 2013.

Signature of Clerk

Elizabeth L. White

FILED

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SEP 26 2013

Elizabeth L. White
CLERK OF THE MARION CIRCUIT COURT

JUSTIS Justice Information System of Indianapolis/Marion County JUSTIS
FINE PAYMENT
SCW8211 October 9, 2013 10:45 SCA7 JSCX012D

Cause 49 F09 1307 FD 044328 Stay Fine Date
Name HAMPHILL, WILLIE Gallery 000000683723

Charge Description	Assessed	Received	Balance
COURT COSTS	168.00	0.00	168.00
SUPPLEMENTAL PUBLIC DEFENDER FEE	50.00	0.00	50.00
CRIMINAL TRESPASS/MA	50.00	0.00	50.00
GRAND TOTALS	268.00	0.00	268.00

MIS003I END OF DISPLAY LIST
PF3=Pmt Hist. PF5=Cancel PF6=Top PF7=Backward PF8=Forward ENTER=Continue